UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

BCS SOFTWARE, LLC, Plaintiff v. **ELSTER SOLUTIONS, LLC AND ELSTER AMERICAN METER, LLC,** Defendants	**Case No. 6:20-cv-2** **JURY TRIAL DEMANDED**

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff BCS Software, LLC ("Plaintiff" or "BCS") hereby files this Original Complaint for Patent Infringement against Defendants Elster Solutions and Defendants Elster American Meter (collectively "Defendants" or "Elster'), and alleges, on information and belief, as follows:

THE PARTIES

1. BCS Software, LLC is a limited liability company organized and existing under the laws of the State of Texas with its principal place of business in Austin, Texas.
2. On information and belief, Defendant Elster Solutions is a Delaware limited liability company having a principal place of business at 208 South Rogers Lane, Raleigh, North Carolina 27610-2144. On information and belief, the registered agent for service of process in Texas for Elster is Corporation Service Company d/b/a CSC, 211 E. 7th Street, Suite 620, Austin, Texas 78701.

3. On information and belief, Defendant Elster American Meter is a Delaware limited liability company having a principal place of business at 2221 Industrial Road, Nebraska City, Nebraska 68410. On information and belief, the registered agent for service of process in Texas for Elster American Meter is Corporation Service Company d/b/a CSC, 211 E. 7th Street, Suite 620, Austin, Texas 78701.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, 35 U.S.C. § 1, *et seq*. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).
5. Defendants have committed acts of infringement in this judicial district.
6. On information and belief, Defendants maintain regular and systematic business interests in this district and throughout the State of Texas including through their representatives, employees and physical facilities.
7. On information and belief, the Court has personal jurisdiction over Defendants because Defendants have committed, and continue to commit, acts of infringement in the State of Texas, have conducted business in the state of Texas, and/or have engaged in continuous and systematic activities in the state of Texas. On information and belief, Defendants' accused instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in the Western District of Texas.
8. On information and belief, Defendants voluntarily conduct business and solicit customers in the State of Texas and customers within this District, including, but not limited to, the City of Georgetown, Texas.
9. On information and belief Defendants generate substantial revenue from such customers located within this District and from the acts of infringement as carried out in this District.

As such, the exercise of jurisdiction over Defendants would not offend the traditional notions of fair play and substantial justice.

10. Venue is proper in the Western District of Texas pursuant to 28 U.S.C. § 1400(b).

NOTICE OF BCS' PATENTS

11. BCS is owner by assignment of U.S. Patent No. 6,240,421 entitled "System, software and apparatus for organizing, storing and retrieving information from a computer database." A copy may be obtained at: https://patents.google.com/patent/US6240421B1/en?oq=6240421.

12. BCS is owner by assignment of U.S. Patent No. 6,421,821 entitled "Flow chart-based programming method and system for object-oriented languages." A copy may be obtained at: https://patents.google.com/patent/US6421821B1/en?oq=6421821.

13. BCS is owner by assignment of U.S. Patent No. 6,438,535 entitled "Relational database method for accessing information useful for the manufacture of, to interconnect nodes in, to repair and to maintain product and system units." A copy may be obtained at: https://patents.google.com/patent/US6438535B1/en?oq=6438535.

14. BCS is owner by assignment of U.S. Patent No. 6,658,377 entitled "Method and system for text analysis based on the tagging, processing, and/or reformatting of the input text." A copy may be obtained at: https://patents.google.com/patent/US6658377B1/en?oq=6658377.

15. BCS is owner by assignment of U.S. Patent No. 6,662,179 entitled "Relational database method for accessing information useful for the manufacture of, to interconnect nodes in, to repair and to maintain product and system units." A copy may be obtained at: https://patents.google.com/patent/US6662179B2/en?oq=6662179.

16. BCS is owner by assignment of U.S. Patent No. 6,895,502 entitled "Method and system for securely displaying and confirming request to perform operation on host computer." A copy may be obtained at: https://patents.google.com/patent/US6895502B1/en?oq=6895502.

17. BCS is owner by assignment of U.S. Patent No. 7,200,760 entitled "System for persistently encrypting critical software data to control the operation of an executable software program." A copy may be obtained at: https://patents.google.com/patent/US7200760B2/en?oq=7200760

18. BCS is owner by assignment of U.S. Patent No. 7,302,612 entitled "High level operational support system." A copy may be obtained at: https://patents.google.com/patent/US7302612B2/en?oq=7302612.

19. BCS is owner by assignment of U.S. Patent No. 7,533,301 entitled "High level operational support system." A copy may be obtained at: https://patents.google.com/patent/US7533301B2/en?oq=7533301.

20. BCS is owner by assignment of U.S. Patent No. 7,730,129 entitled "Collaborative communication platforms." A copy may be obtained at: https://patents.google.com/patent/US7730129B2/en?oq=7730129.

21. BCS is owner by assignment of U.S. Patent No. 7,774,296 entitled "Relational database method for accessing information useful for the manufacture of, to interconnect nodes in, to repair and to maintain product and system units." A copy may be obtained at: https://patents.google.com/patent/US7774296B2/en?oq=7774296.

22. BCS is owner by assignment of U.S. Patent No. 7,840,893 entitled "Display and manipulation of web page-based search results." A copy may be obtained at: https://patents.google.com/patent/US7840893B2/en?oq=7840893.

23. BCS is owner by assignment of U.S. Patent No. 7,890,809 entitled "High level operational support system." A copy may be obtained at: https://patents.google.com/patent/US7890809B2/en?oq=7890809.

24. BCS is owner by assignment of U.S. Patent No. 7,895,282 entitled "Internal electronic mail system and method for the same." A copy may be obtained at: https://patents.google.com/patent/US7895282B1/en?oq=7895282."

25. BCS is owner by assignment of U.S. Patent No. 7,996,464 entitled "Method and system for providing a user directory." A copy may be obtained at: https://patents.google.com/patent/US7996464B1/en?oq=7996464.

26. BCS is owner by assignment of U.S. Patent No. 7,996,469 entitled "Method and system for sharing files over networks." A copy may be obtained at: https://patents.google.com/patent/US7996469B1/en?oq=7996469.

27. BCS is owner by assignment of U.S. Patent No. 8,171,081 entitled "Internal electronic mail within a collaborative communication system." A copy may be obtained at: https://patents.google.com/patent/US8171081B1/en?oq=8171081.

28. BCS is owner by assignment of U.S. Patent No. 8,176,123 entitled "Collaborative communication platforms." A copy may be obtained at: https://patents.google.com/patent/US8176123B1/en?oq=8176123.

29. BCS is owner by assignment of U.S. Patent No. 8,285,788 entitled "Techniques for sharing files within a collaborative communication system." A copy may be obtained at: https://patents.google.com/patent/US8285788B1/en?oq=8285788.

30. BCS is owner by assignment of U.S. Patent No. 8,554,838 entitled "Collaborative communication platforms." A copy may be obtained at:

https://patents.google.com/patent/US8554838B1/en?oq=8554838.

31. BCS is owner by assignment of U.S. Patent No. 8,819,120 entitled "Method and system for group communications." A copy may be obtained at: https://patents.google.com/patent/US8819120B1/en?oq=8819120.

32. BCS is owner by assignment of U.S. Patent No. 8,984,063 entitled "Techniques for providing a user directory for communication within a communication system." A copy may be obtained at: https://patents.google.com/patent/US8984063B1/en?oq=8984063.

33. BCS is owner by assignment of U.S. Patent No. 9,396,456 entitled "Method and system for forming groups in collaborative communication system." A copy may be obtained at: https://patents.google.com/patent/US9396456B1/en?oq=9396456.

34. Defendant, at least by the date of this Original Complaint, is on notice of the above patents owned by BCS.

U.S. PATENT NOS. 7,302,612, 7,533,301 AND 7,890,809

35. BCS is the owner, by assignment, of U.S. Patent No. 7,302,612 ("the '612 Patent"), U.S. Patent No. 7,533,301 ("the '301 Patent) and U.S. Patent No. 7,890,809 ("the '809 Patent"), each entitled HIGH LEVEL OPERATIONAL SUPPORT SYSTEM (hereinafter collectively referred to as "the Patents-in-Suit").

36. The '809 Patent issued on February 15, 2011, and is a continuation of the '301 Patent, which issued on May 12, 2009. The '301 Patent is a continuation of the '612 Patent, which issued on November 27, 2007. Thus, the Patents-in-Suit share a common specification.

37. The Patents-in-Suit are valid, enforceable, and were duly issued in full compliance with Title 35 of the United States Code.

38. The Patents-in-Suit were invented by Messrs. Blaine Nye and David Sze Hong.

39. The priority date of each of the Patents-in-Suit is at least May 1, 2003.

40. The Patents-in-Suit relate to:

> A high-level Operational Support System (OSS) framework provides the infrastructure and analytical system to enable all applications and systems to be managed dynamically at runtime regardless of platform or programming technology. Applications are automatically discovered and managed. Java applications have the additional advantage of auto-inspection (through reflection) to determine their manageability. Resources belonging to application instances are associated and managed with that application instance. This provides operators the ability to not only manage an application, but its distributed components as well. They are presented as belonging to a single application instance node that can be monitored, analyzed, and managed. The OSS framework provides the platform-independent infrastructure that heterogeneous applications require to be monitored, controlled, analyzed and managed at runtime. New and legacy applications written in C++ or Java are viewed and manipulated identically with zero coupling between the applications themselves and the tools that scrutinize them.

'809 Patent (Abstract).

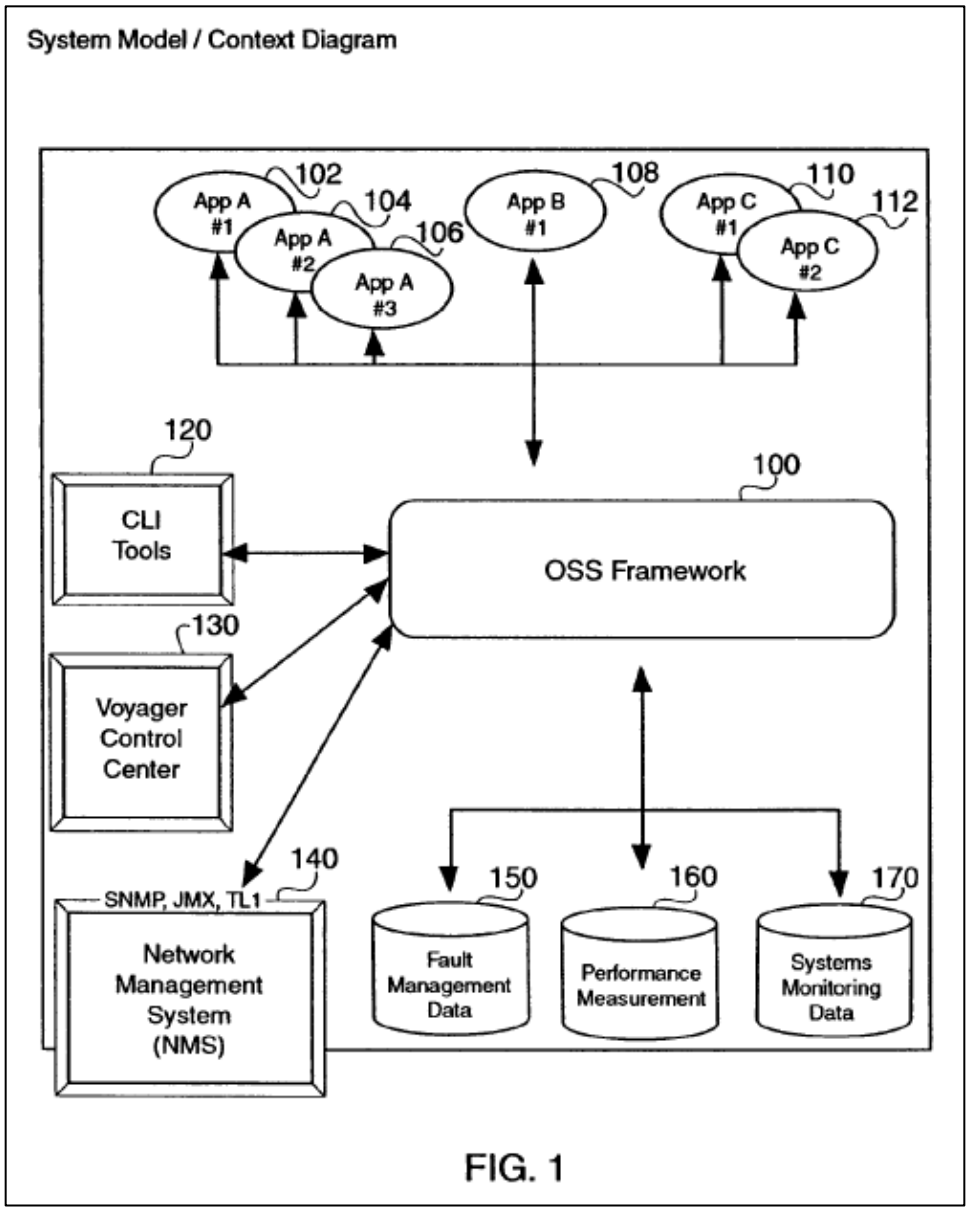


FIG. 1

Id. (Figure 1).

41. The field of the invention of the Patents-in-Suit is to improvements in "wireless communication carriers. More particularly, it relates to operational support system (OSS), application/systems management, and network management." *Id.*, col. 1:17-20.

42. As disclosed in the Patents-in-Suit, "[m]any network management technologies exist that allow operators to manage applications and devices at runtime. For instance, SNMP, TL1

and JMX each attempt to provide operators with the ability to manipulate and affect change at runtime." *Id*., col. 1:22-26.

43. As disclosed in the Patents-in-Suit, "[t]he fundamental of each is similar. It is to manipulate the objects of an application through messaging." *Id*., col. 1:26-27.

44. As disclosed in the Patents-in-Suit, "SNMP is the standard basic management service for networks that operate in TCP/IP environments. It is intended primarily to operate well-defined devices easily and does so quite successfully. However, it is limited to the querying and updating of variables." *Id*., col. 1:28-32.

45. As disclosed in the Patents-in-Suit, "Transaction Language 1 (TL1) is a set of ASCII-based instructions, or 'messages,' that an operations support system (OSS) uses to manage a network element (NE) and its resources. *Id*., col. 1:32-35.

46. As disclosed in the Patents-in-Suit, "JMX is a Java centric technology that permits the total management of objects: not only the manipulation of fields, but also the execution of object operations. It is designed to take advantage of the Java language to allow for the discovery and manipulation of new or legacy applications or devices." *Id*., col. 1:35-40.

47. As disclosed in the Patents-in-Suit, "Operational Support for enterprise applications is currently realized using a variety of technologies and distinct, separate services. For instance, network management protocols (SNMP, JMX, TL1, etc.) provide runtime configuration and some provide operation invocation, but these technologies are not necessarily geared toward applications." *Id*., col. 1:40-45.

48. As disclosed in the Patents-in-Suit, "[s]ome are language specific (e.g., JMX) and require language agnostic bridging mechanisms that must be implemented, configured and maintained. SNMP is generic (e.g., TL1 and SNMP) and very simple in nature, but it requires

application developers to implement solutions to common OSS tasks on top of SNMP. *Id*., col. 1:46-51.

49. As disclosed in the Patents-in-Suit, "TL1 is also ASCII based and generic. However, while it is very flexible and powerful, it is another language that must be mastered, and it's nature is command line based. As a result, it is not intuitively based in presentation layer tools. While all the technologies have their respective benefits, they do not provide direct means of providing higher level OSS functionality. Conventionally, applications are monitored, analyzed and managed at runtime." *Id*., col. 1:52-59.

50. As disclosed in the Patents-in-Suit, one or more claims "provid[e] a high-level operational support system framework comprises monitoring a health of a plurality of applications. The health of the plurality of applications is assessed, and the health of the plurality of applications is analyzed, whereby each of the plurality of applications are managed dynamically at runtime regardless of a platform of each of the plurality of applications." *Id*., col. 1:64–2:3.

51. Consequently, the Patents-in-Suit improve the computer functionality itself and represents a technological improvement to the operation of computers.

52. The '809 Patent was examined by United States Patent Examiner Joshua Lohn. During the examination of the '809 Patent, the United States Patent Examiner searched for prior art in the following US Classifications: 714/38, 714/47, 719/320.

53. After conducting a search for prior art during the examination of the '809 Patent, the United States Patent Examiner identified and cited U.S. Patent No. 6,748,555 to Teegan et al as one of the most relevant prior art references found during the search.

54. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent No. 6,862,698 to Shyu as one of the most relevant prior art references found during the search.

55. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent No. 7,003,560 to Mullen et al as one of the most relevant prior art references found during the search.

56. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent No. 7,100,195 to Underwood as one of the most relevant prior art references found during the search.

57. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent Application No. 2003/0037288 by Harper et al as one of the most relevant prior art references found during the search.

58. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent Application No. 2003/0204791 by Helgren et al as one of the most relevant prior art references found during the search.

59. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent Application No. 2004/0073566 by Trivedi as one of the most relevant prior art references found during the search.

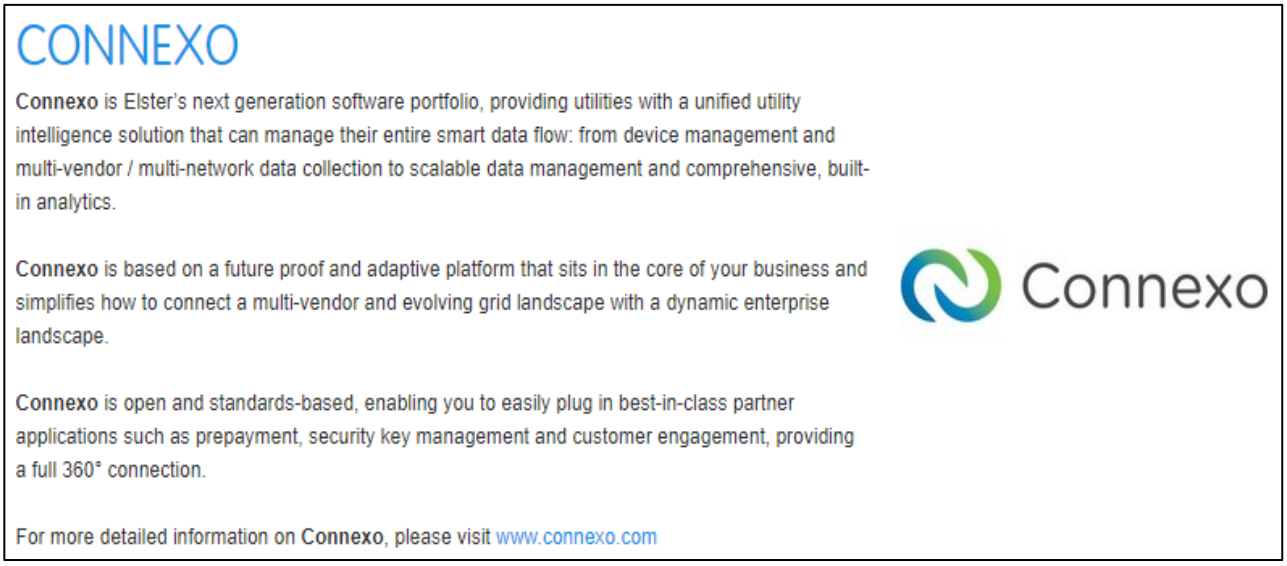
60. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent Application No. 2004/0088401 by Tripathi et al as one of the most relevant prior art references found during the search.

61. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent Application No. 2005/0044535 by Coppert as one of the most relevant prior art references found during the search.

62. After conducting a search for prior art during the examination of the ’809 Patent, the United States Patent Examiner identified and cited U.S. Patent Application No. 6,748,555 by Shyu as one of the most relevant prior art references found during the search.

DEFENDANTS’ PRODUCTS

63. On information and belief, Defendants make, use, import, sell, and/or offer for sale a multitude of products and services broadly defined under the so-called “Connexo” name. On information and belief, Defendants provide Connexo which is an open software platform for utilities that securely collect, process, store and leverage smart grid data.



Source: https://www.elstersolutions.com/en/product-details-all-regions/1215/en/Connexo?fid=F032EA0A896F40B486350FF21BE30E5E#sbox0=;

64. On information and belief, Connexo is a unified utility intelligent solution which integrates multiple applications such as Connexo MultiSense, Connexo NetSense, Connexo Insight, and Connexo Pulse.

65. Individually and collectively, the foregoing are the "Accused Instrumentalities."

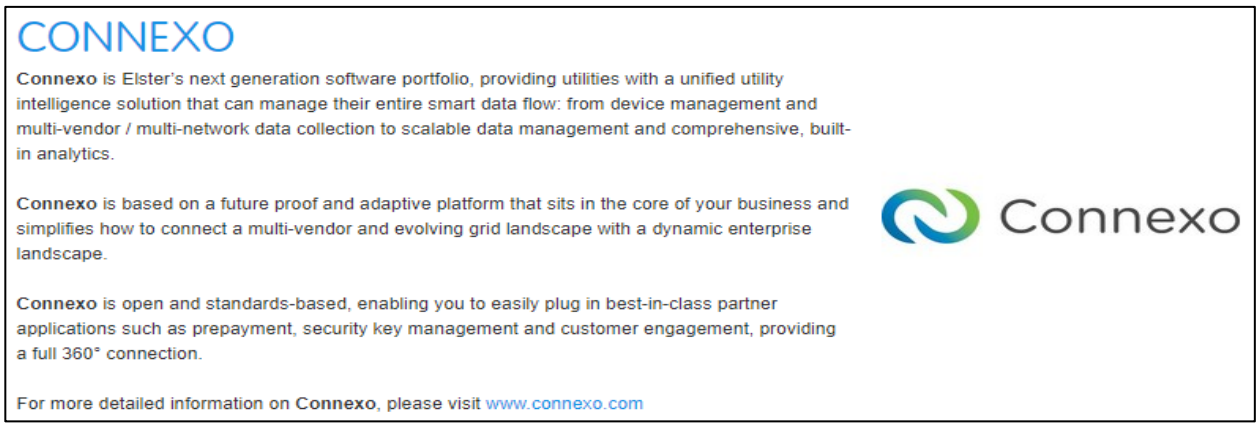
COUNT I
(Infringement of U.S. Patent No. 7,890,809)

66. BCS incorporates the above paragraphs by reference.

67. Defendants have been on notice of the '809 Patent at least as early as the date it received service of this Original Complaint.

68. On information and belief, Defendants have infringed and continue to infringe at least Claims 1-9 of the '809 Patent by making, using, importing, selling, and/or, offering for sale the Accused Instrumentalities.

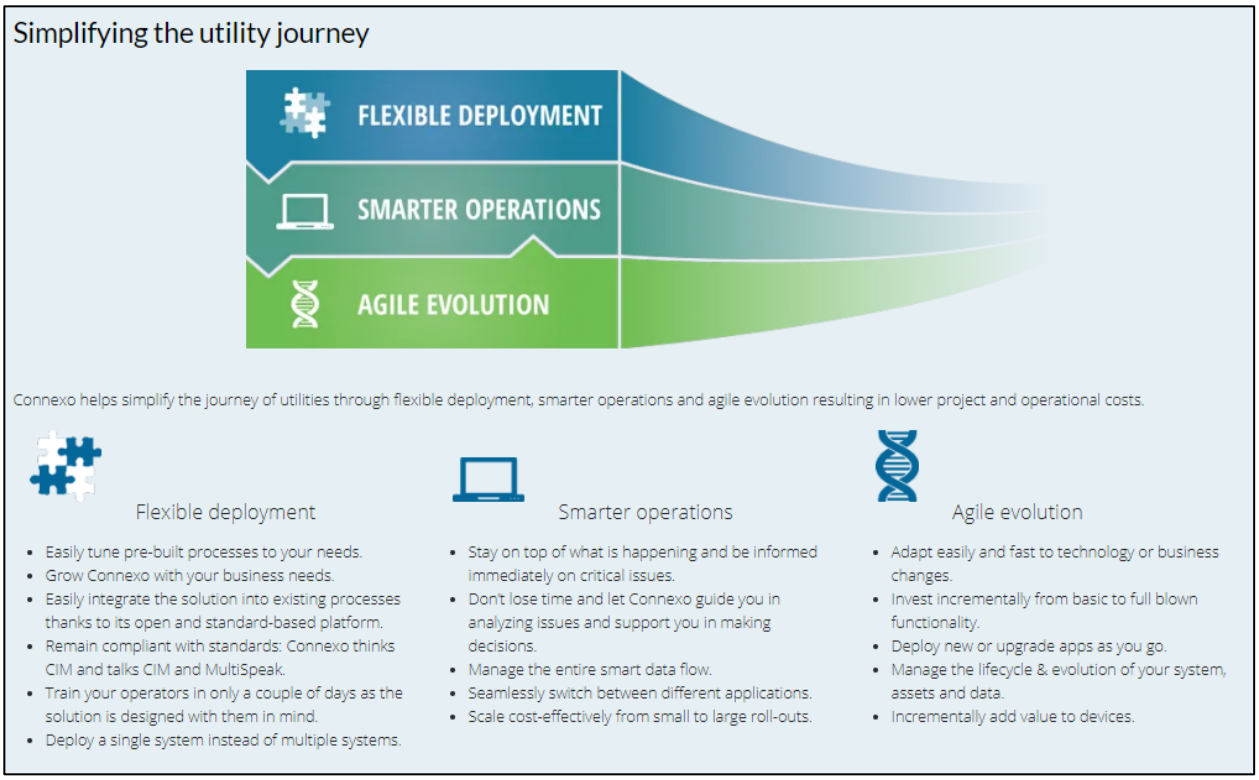
69. Defendants, with knowledge of the '809 Patent, infringe the '809 Patent by inducing others to infringe the '809 Patent. In particular, Defendants intend to induce their customers to infringe the '809 Patent by encouraging customers to use the Accused Instrumentalities in a manner that results in infringement. Defendants provide Connexo which is an open software platform for utilities that securely collect, process, store and leverage smart grid data.



Source: https://www.elstersolutions.com/en/product-details-all-regions/1215/en/Connexo?fid=F032EA0A896F40B486350FF21BE30E5E#sbox0=;

70. On information and belief, Defendants' Connexo provides a unified utility intelligent solution which integrates multiple applications such as Connexo MultiSense, Connexo NetSense, Connexo Insight and Connexo Pulse.

Source: https://www.connexo.com/applications/



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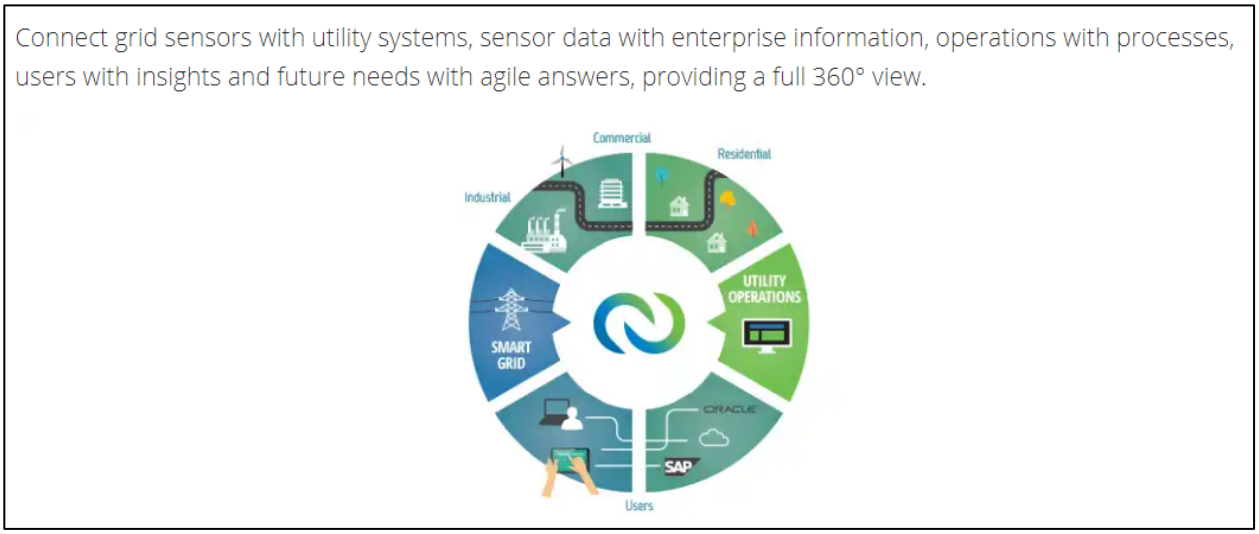

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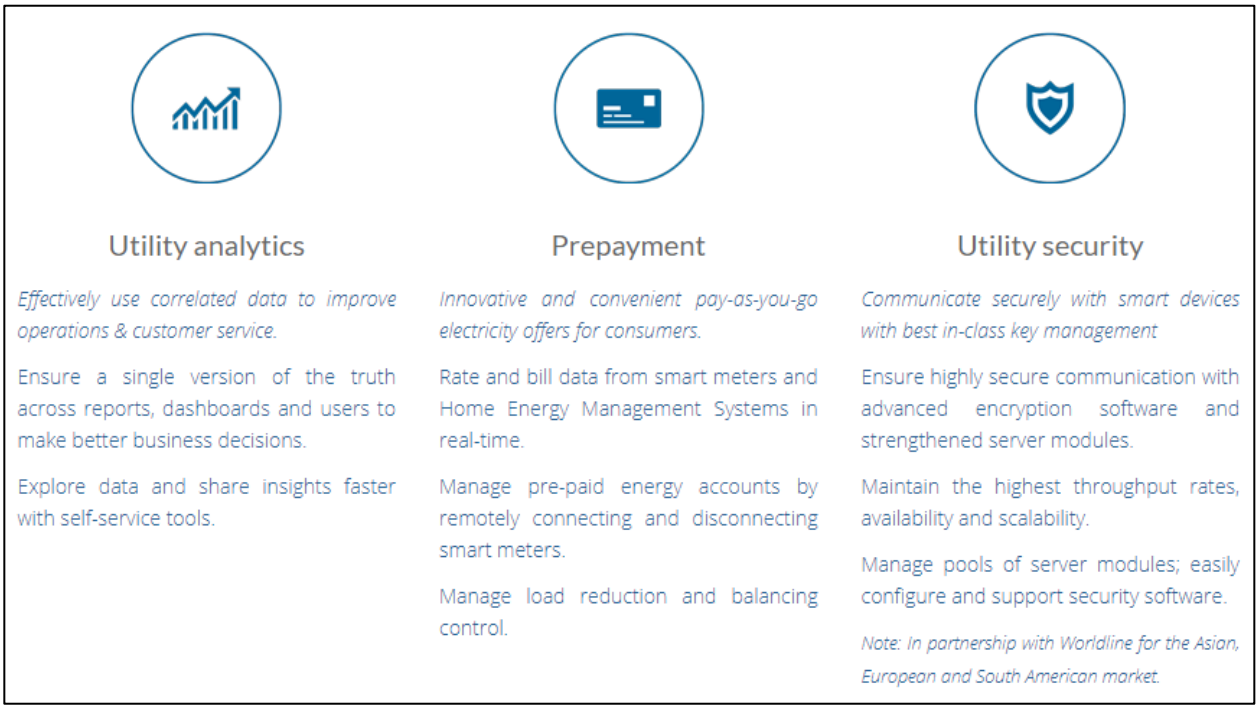

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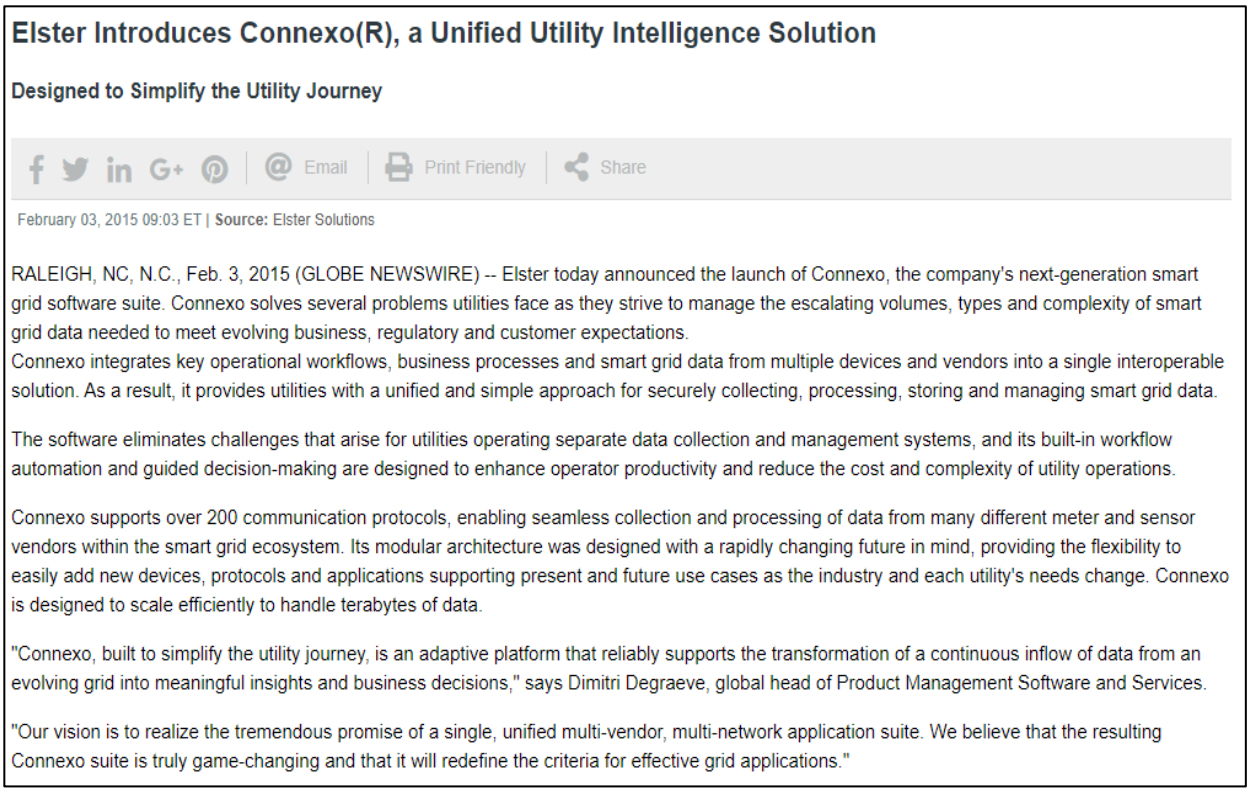

Elster Introduces Connexo(R), a Unified Utility Intelligence Solution

Designed to Simplify the Utility Journey

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February 03, 2015 09:03 ET | **Source:** Elster Solutions

RALEIGH, NC, N.C., Feb. 3, 2015 (GLOBE NEWSWIRE) -- Elster today announced the launch of Connexo, the company's next-generation smart grid software suite. Connexo solves several problems utilities face as they strive to manage the escalating volumes, types and complexity of smart grid data needed to meet evolving business, regulatory and customer expectations.
Connexo integrates key operational workflows, business processes and smart grid data from multiple devices and vendors into a single interoperable solution. As a result, it provides utilities with a unified and simple approach for securely collecting, processing, storing and managing smart grid data.

The software eliminates challenges that arise for utilities operating separate data collection and management systems, and its built-in workflow automation and guided decision-making are designed to enhance operator productivity and reduce the cost and complexity of utility operations.

Connexo supports over 200 communication protocols, enabling seamless collection and processing of data from many different meter and sensor vendors within the smart grid ecosystem. Its modular architecture was designed with a rapidly changing future in mind, providing the flexibility to easily add new devices, protocols and applications supporting present and future use cases as the industry and each utility's needs change. Connexo is designed to scale efficiently to handle terabytes of data.

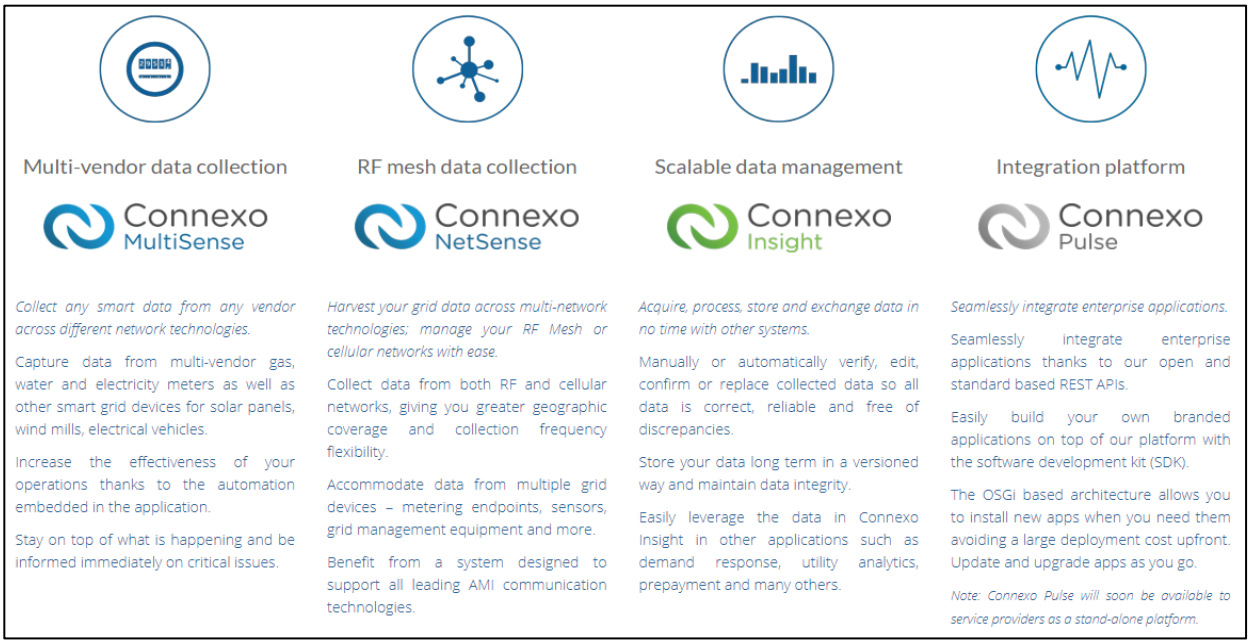
"Connexo, built to simplify the utility journey, is an adaptive platform that reliably supports the transformation of a continuous inflow of data from an evolving grid into meaningful insights and business decisions," says Dimitri Degraeve, global head of Product Management Software and Services.

"Our vision is to realize the tremendous promise of a single, unified multi-vendor, multi-network application suite. We believe that the resulting Connexo suite is truly game-changing and that it will redefine the criteria for effective grid applications."

Source: https://www.globenewswire.com/news-release/2015/02/03/702538/10118353/en/Elster-Introduces-Connexo-R-a-Unified-Utility-Intelligence-Solution.html

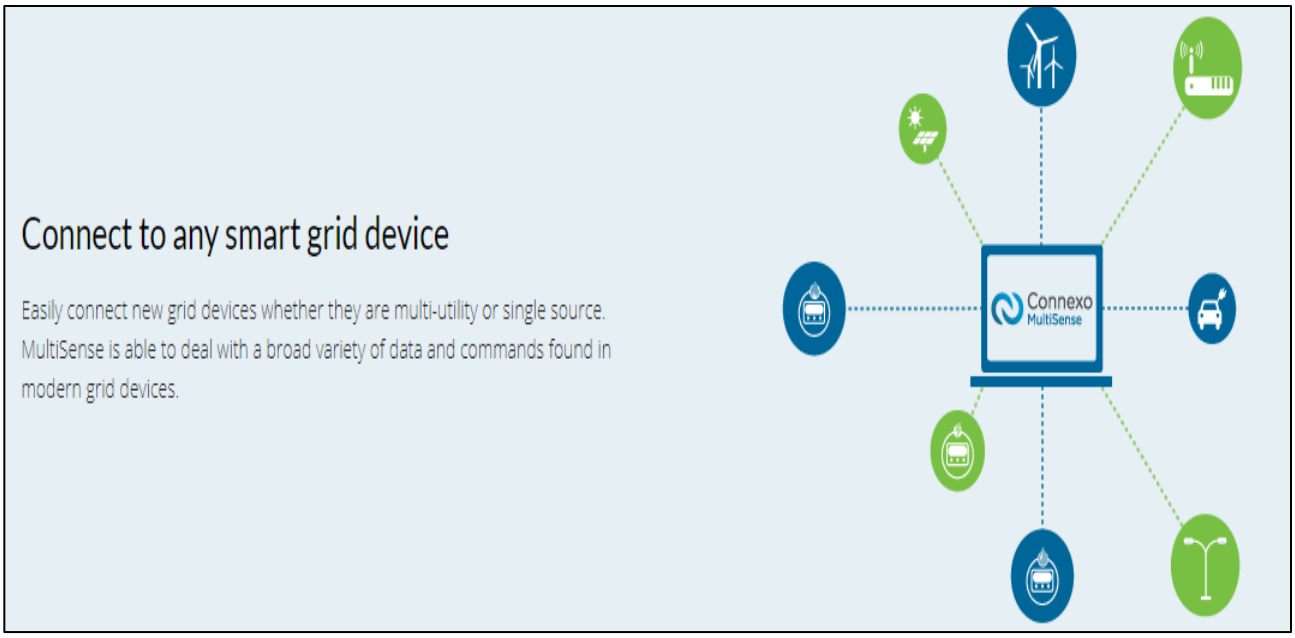
71. On information and belief, Defendants perform and induce others to perform the step of monitoring from a physical server a health of a plurality of client applications and a health of said plurality of client applications distributed components, using a common monitoring protocol, said monitoring being independent of a programming technology of said plurality of client applications and respective distributed components. This element is infringed literally, or in the alternative, under the doctrine of equivalents. For example, Connexo comprises Connexo MultiSense and Connexo NetSense ("applications"). Connexo MultiSense captures data from gas, water and electricity meters as well as other smart grid devices such as solar panels, wind mills or electrical vehicles and manages their configuration from a central system. Distributed components for the application include

meters and grid devices such as wind mills, solar panels, etc. Connexo NetSense collects data from both RF mesh and cellular networks and "accommodates data from multiple grid devices – metering endpoints, sensors, grid management equipment". Distributed components for the application include metering endpoints, sensors and grid management equipment. The health and performance of applications and corresponding distributed components (such as Device and Sensor status, Sensor ID) is monitored using Connexo ("common monitoring protocol"). On information and belief, the monitoring is independent of a programming technology of said plurality of client applications and respective distributed components.



Source: https://www.connexo.com/applications/

Source: https://www.connexo.com/applications/connexo-multisense/



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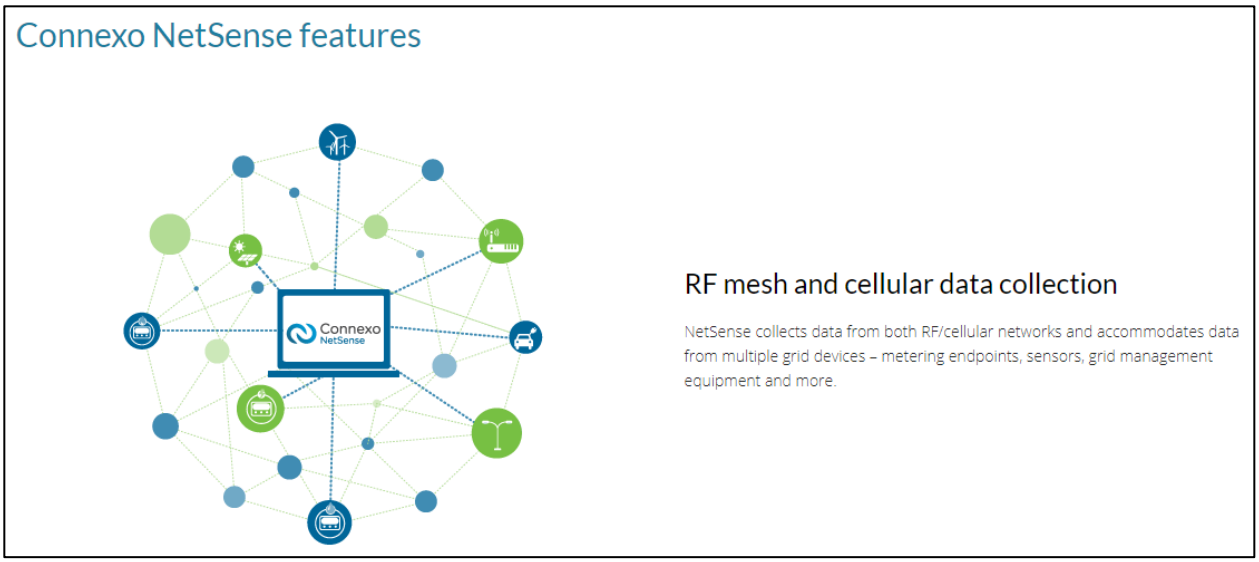

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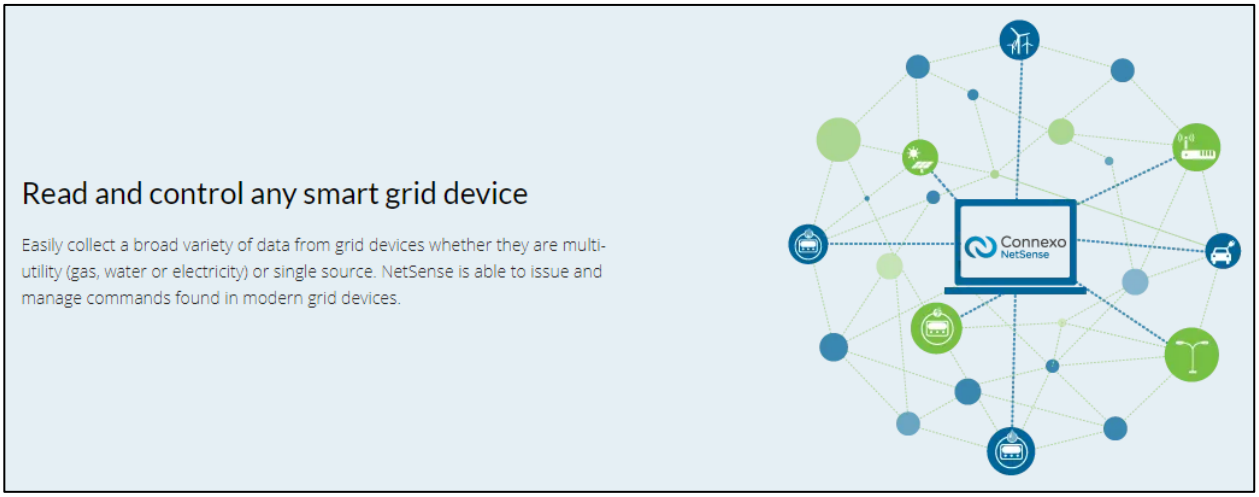

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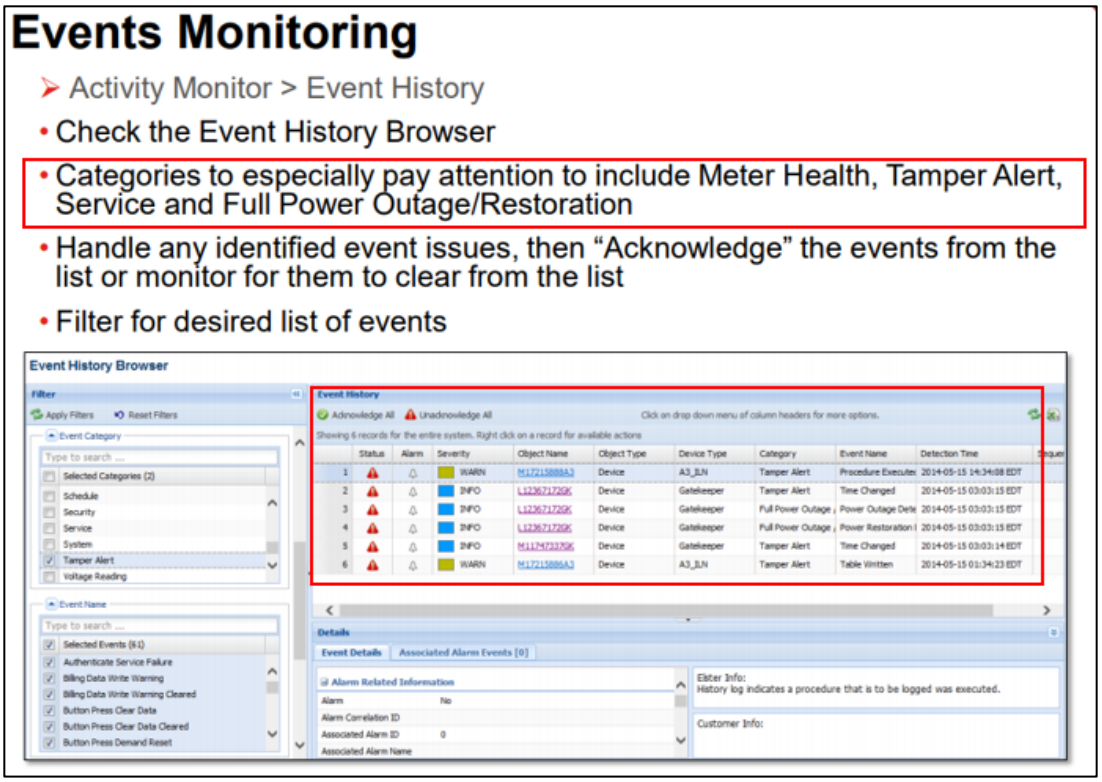
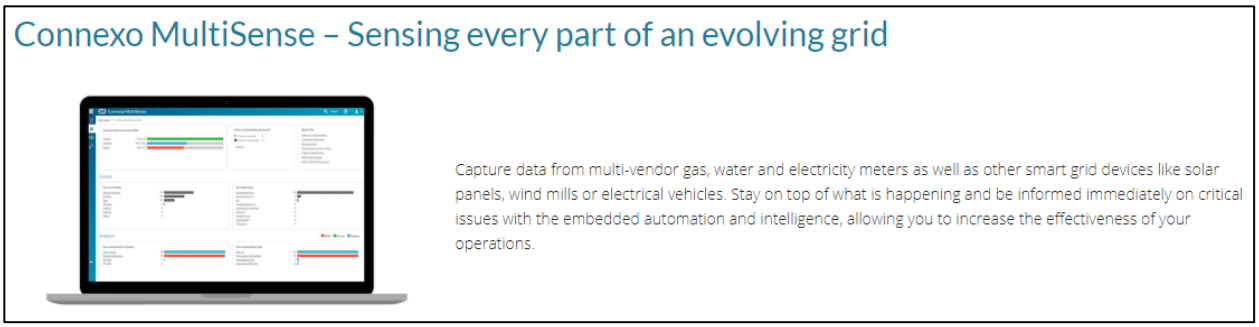


Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38.

72. On information and belief, the Accused Instrumentalities further perform the step of assessing said health of said plurality of client applications and said respective distributed components. For example, Connexo assesses health and performance of Connexo MultiSense and Connexo NetSense ("applications") and respective distributed components (sensors, meters, grid management equipment, etc.). The health value of applications comprises of values such as Application ID and Activation status of particular application. Further, health of corresponding distributed components comprises of Device status and Device ID.



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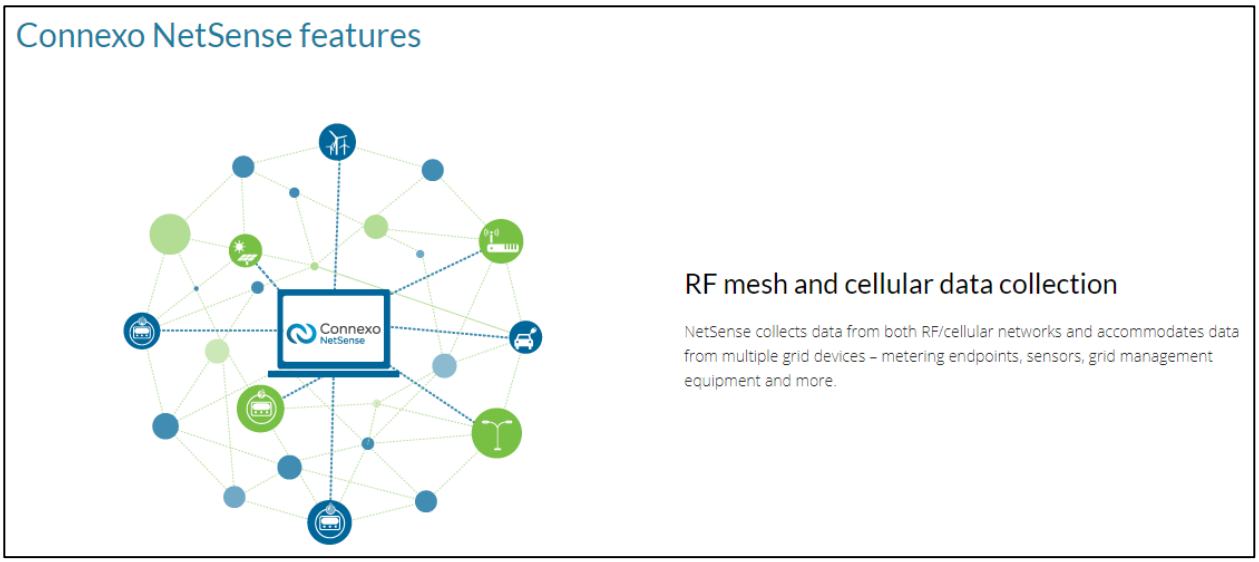
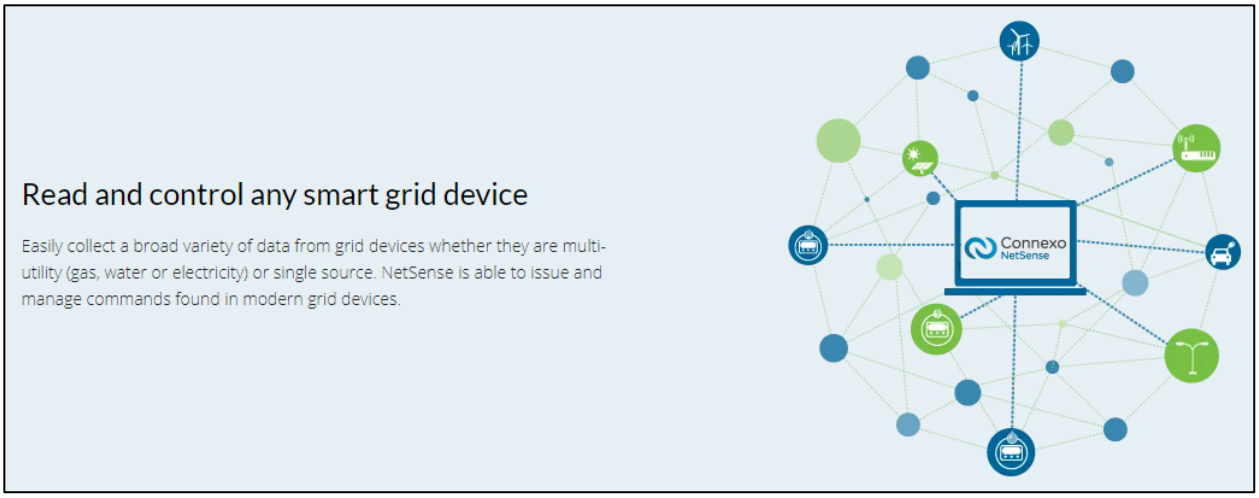
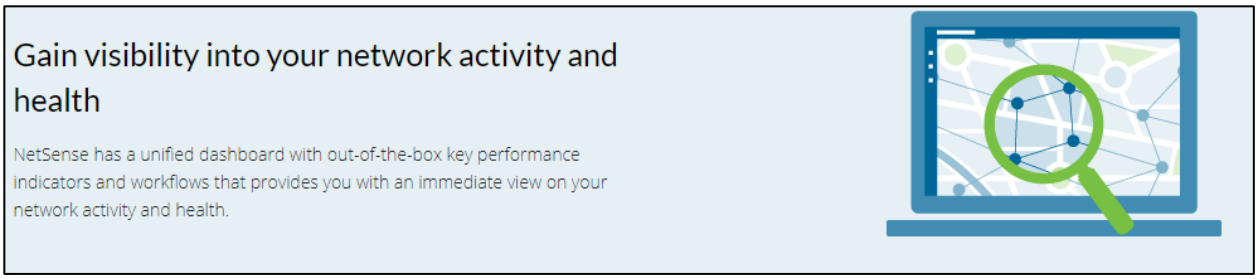
Source: https://www.connexo.com/applications/connexo-multisense/



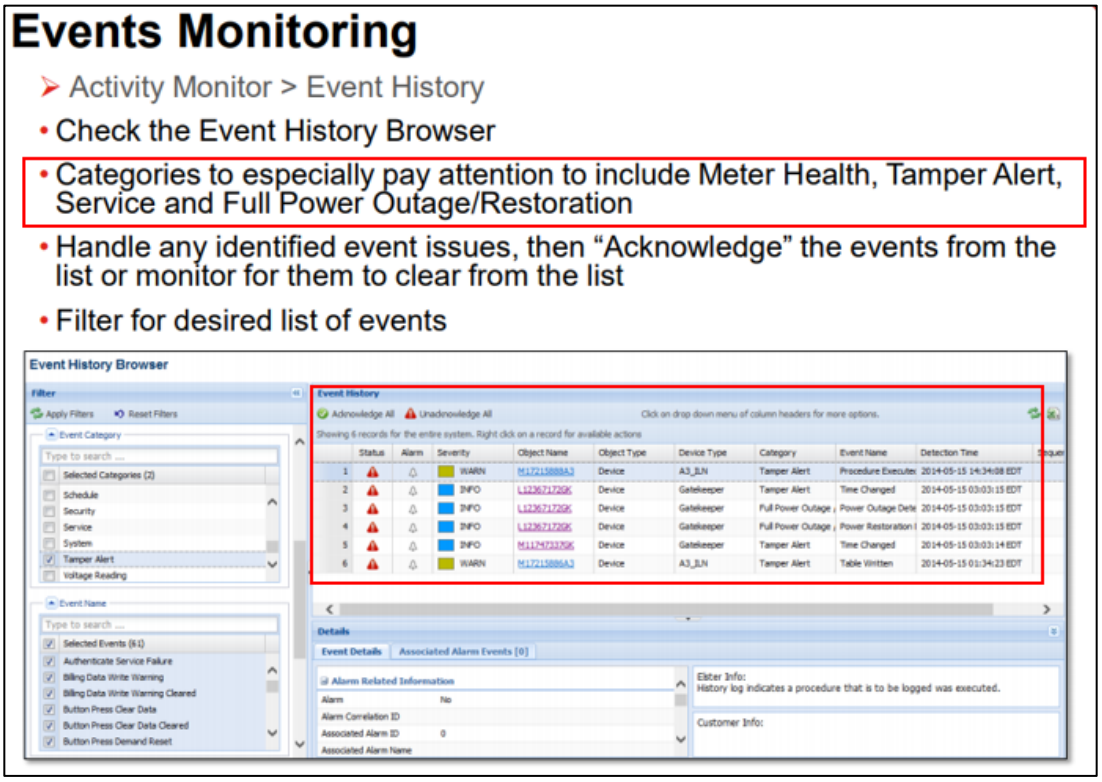
Source: https://www.connexo.com/applications/connexo-netsense/features/



Source: https://www.connexo.com/applications/connexo-netsense/



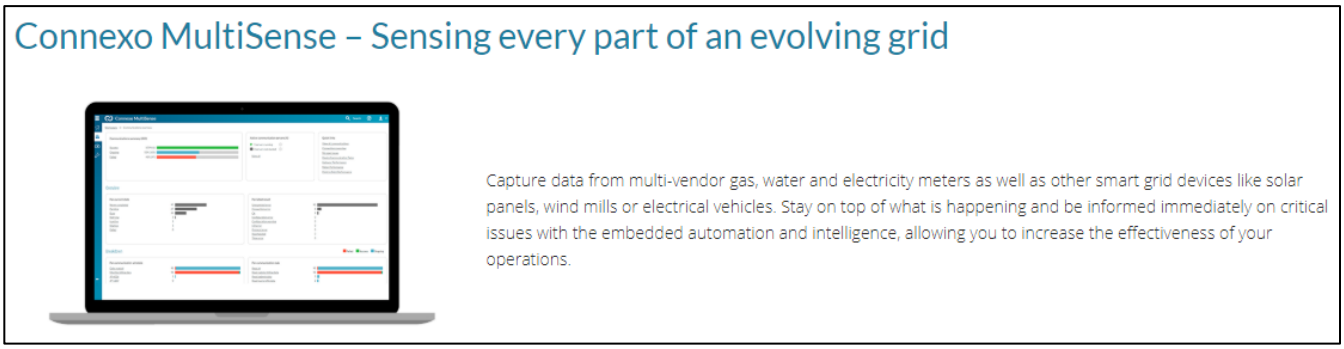
Source: https://www.connexo.com/applications/connexo-netsense/



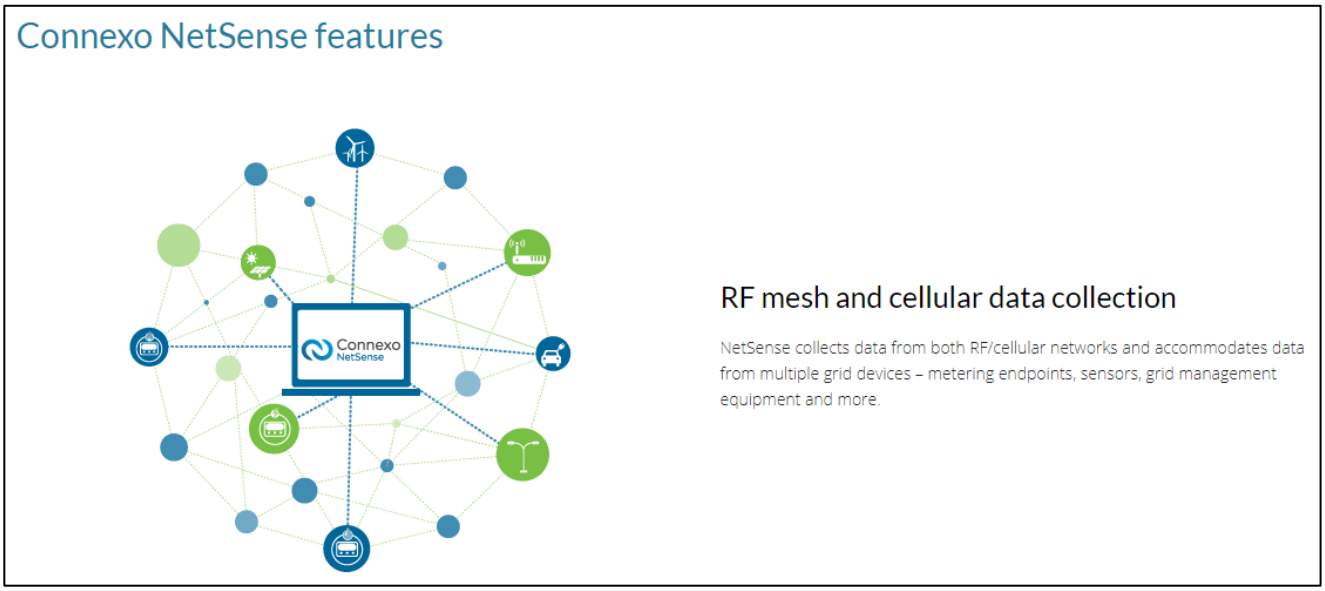
Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38

73. On information and belief, the Accused Instrumentalities perform the step of associating said health of said plurality of client applications and said respective distributed components as belonging to a single application node. This element is infringed literally, or in the alternative, under the doctrine of equivalents. For example, Connexo comprises MultiSense

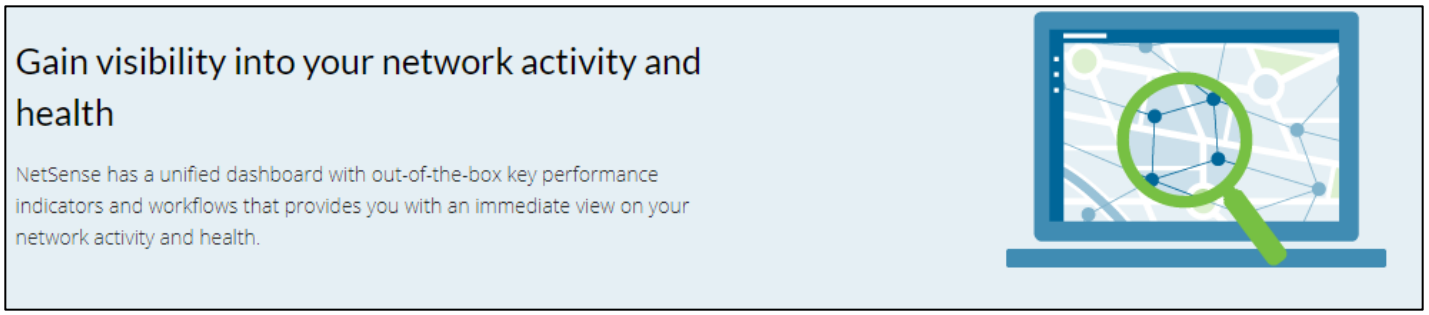
and NetSense which analyses all the collected data from sensors, meters and smart grid devices in order to display events and alarms in a single dashboard ("application node"). That is, the health of plurality of applications is associated and displayed on a single dashboard.



Source: https://www.connexo.com/applications/connexo-multisense/



Source: https://www.connexo.com/applications/connexo-netsense/features/



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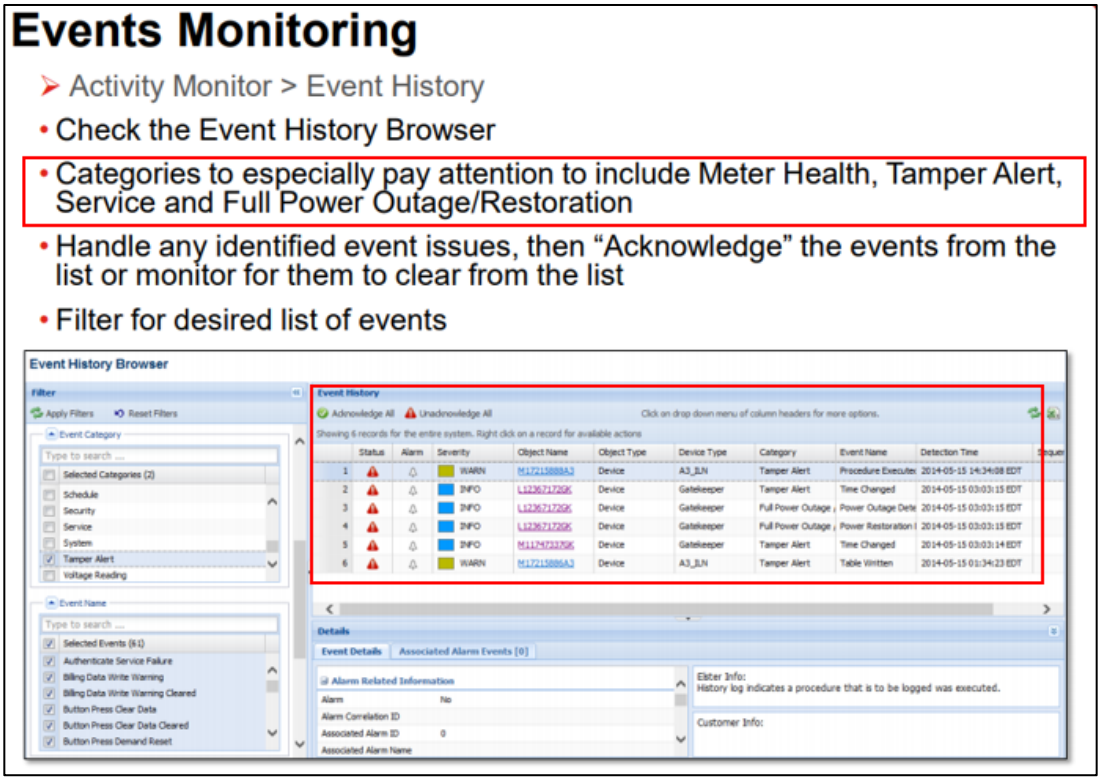


Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38

74. BCS has been damaged by Defendants' infringement of the '809 Patent.

COUNT II
(Infringement of U.S. Patent No. 7,302,612)

75. BCS incorporates the above paragraphs by reference.

76. Defendants have been on notice of the ’612 Patent at least as early as the date it received service of this Original Complaint.

77. On information and belief, Defendants have infringed and continue to infringe Claims 1-20 of the ’612 Patent by making, using, importing, selling, and/or, offering for sale the Accused Instrumentalities.

78. On information and belief, Defendants, with knowledge of the ’612 Patent, infringe the ’612 Patent by inducing others to infringe the ’612 Patent. In particular, Defendants intend to induce customers to infringe the ’612 Patent by encouraging customers to use the Accused Instrumentalities in a manner that results in infringement.

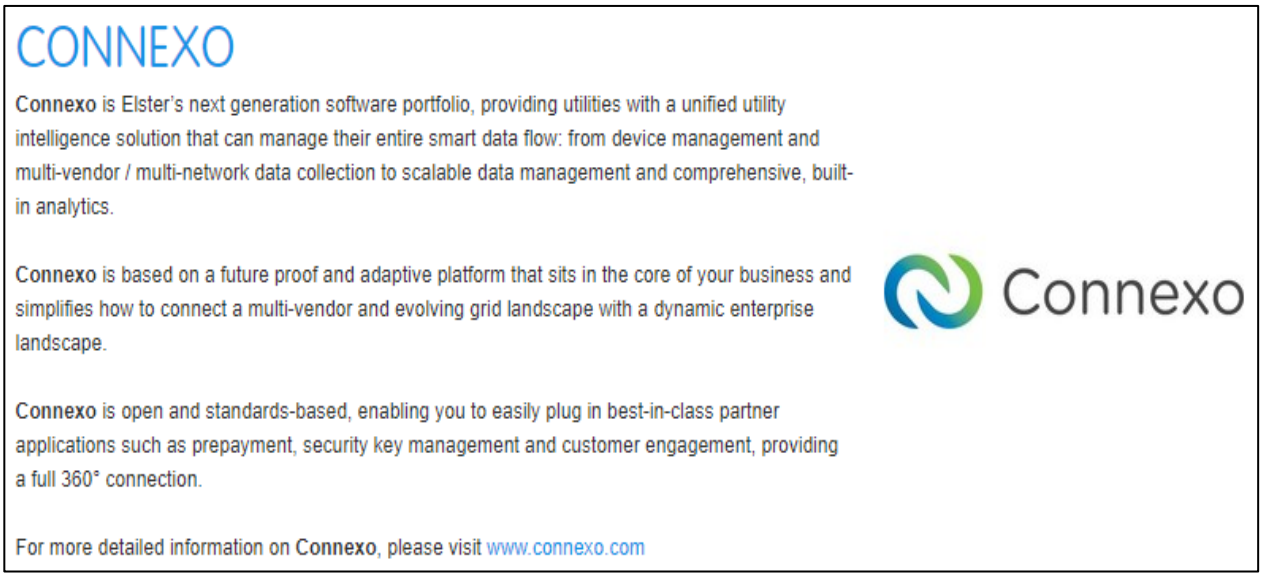
79. On information and belief, Defendants also induce others, including its customers, to infringe the ’612 Patent by providing technical support for the use of the Accused Instrumentalities.

80. On information and belief, at all times Defendants own and control the operation of the Accused Instrumentalities in accordance with an end user license agreement.

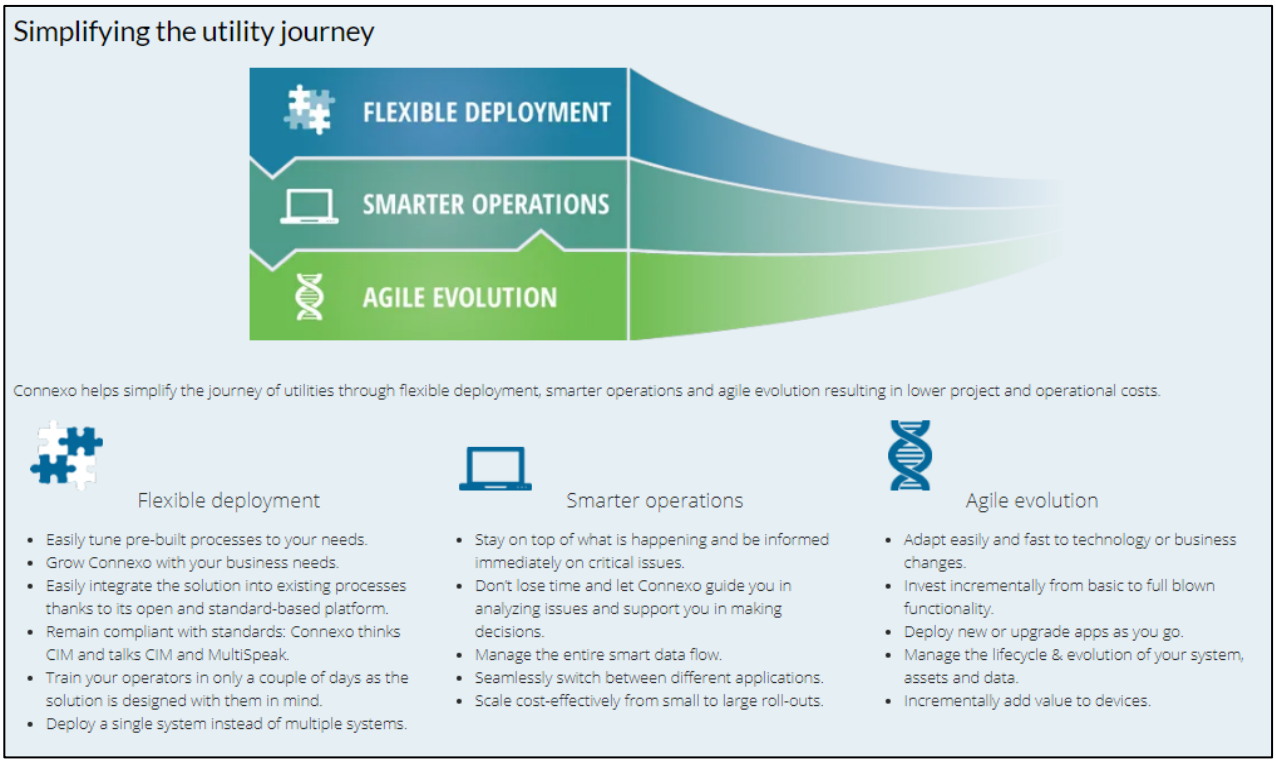
81. On information and belief, the Accused Instrumentalities infringe Claim 1 of the ’612 Patent by providing a method of providing a high-level operational support system framework by monitoring a health of a plurality of applications using a common monitoring protocol, at least two of the plurality of applications being based on different programming technology.

82. On information and belief, Defendants provide Connexo which is an open software platform for utilities that securely collect, process, store and leverage smart grid data. It integrates multiple applications such as Connexo MultiSense, Connexo NetSense, Connexo Insight, and

Connexo Pulse.

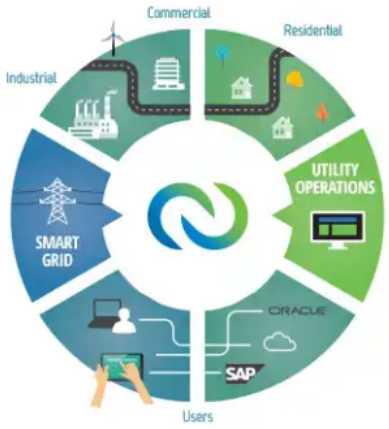


Source:https://www.elstersolutions.com/en/product-details-all-regions/1215/en/Connexo?fid=F032EA0A896F40B486350FF21BE30E5E#sbox0=;



Source: https://www.connexo.com/connexo/

Connect grid sensors with utility systems, sensor data with enterprise information, operations with proce
users with insights and future needs with agile answers, providing a full 360° view.



Source: https://www.connexo.com/connexo/

Multi-vendor data collection

Connexo MultiSense

Collect any smart data from any vendor across different network technologies.

Capture data from multi-vendor gas, water and electricity meters as well as other smart grid devices for solar panels, wind mills, electrical vehicles.

Increase the effectiveness of your operations thanks to the automation embedded in the application.

Stay on top of what is happening and be informed immediately on critical issues.

RF mesh data collection

Connexo NetSense

Harvest your grid data across multi-network technologies; manage your RF Mesh or cellular networks with ease.

Collect data from both RF and cellular networks, giving you greater geographic coverage and collection frequency flexibility.

Accommodate data from multiple grid devices – metering endpoints, sensors, grid management equipment and more.

Benefit from a system designed to support all leading AMI communication technologies.

Scalable data management

Connexo Insight

Acquire, process, store and exchange data in no time with other systems.

Manually or automatically verify, edit, confirm or replace collected data so all data is correct, reliable and free of discrepancies.

Store your data long term in a versioned way and maintain data integrity.

Easily leverage the data in Connexo Insight in other applications such as demand response, utility analytics, prepayment and many others.

Integration platform

Connexo Pulse

Seamlessly integrate enterprise applications.

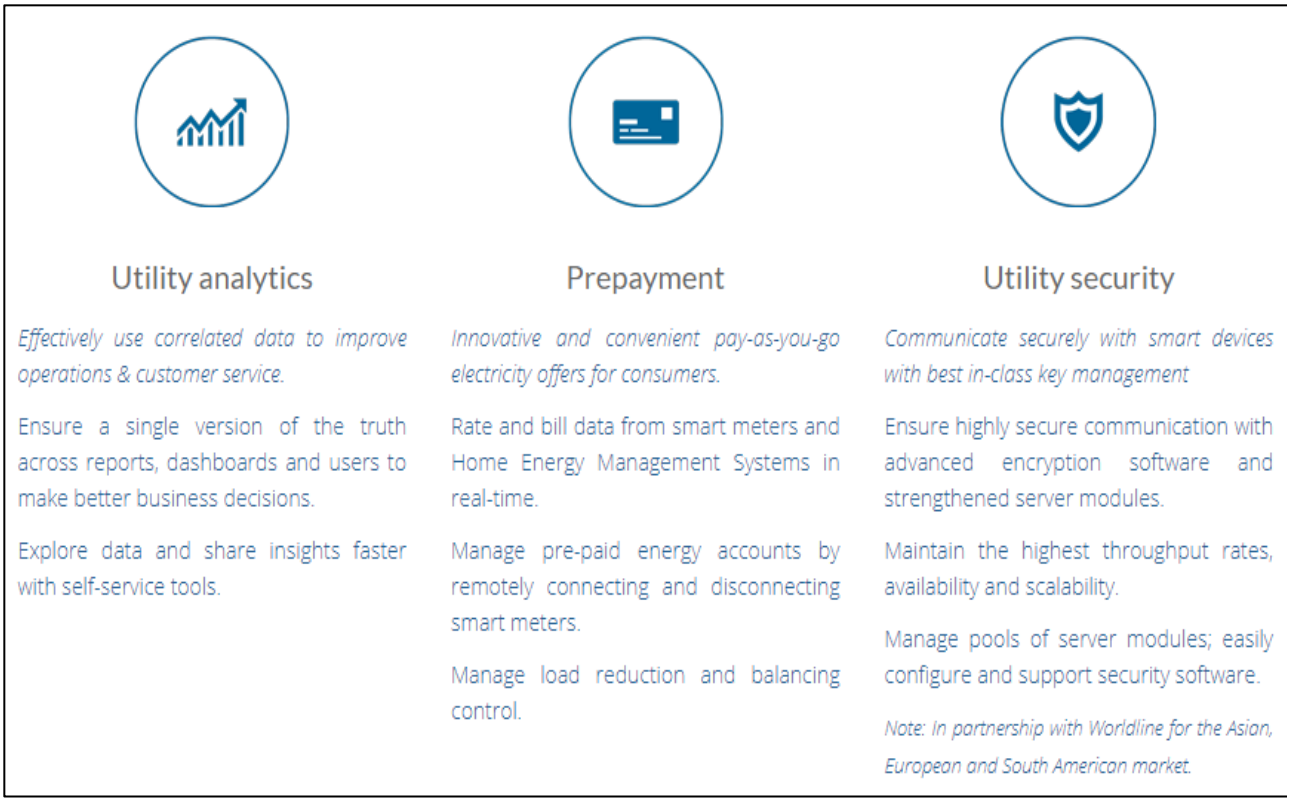
Seamlessly integrate enterprise applications thanks to our open and standard based REST APIs.

Easily build your own branded applications on top of our platform with the software development kit (SDK).

The OSGi based architecture allows you to install new apps when you need them avoiding a large deployment cost upfront. Update and upgrade apps as you go.

Note: Connexo Pulse will soon be available to service providers as a stand-alone platform.

Source: https://www.connexo.com/applications/



Utility analytics

Effectively use correlated data to improve operations & customer service.

Ensure a single version of the truth across reports, dashboards and users to make better business decisions.

Explore data and share insights faster with self-service tools.

Prepayment

Innovative and convenient pay-as-you-go electricity offers for consumers.

Rate and bill data from smart meters and Home Energy Management Systems in real-time.

Manage pre-paid energy accounts by remotely connecting and disconnecting smart meters.

Manage load reduction and balancing control.

Utility security

Communicate securely with smart devices with best in-class key management

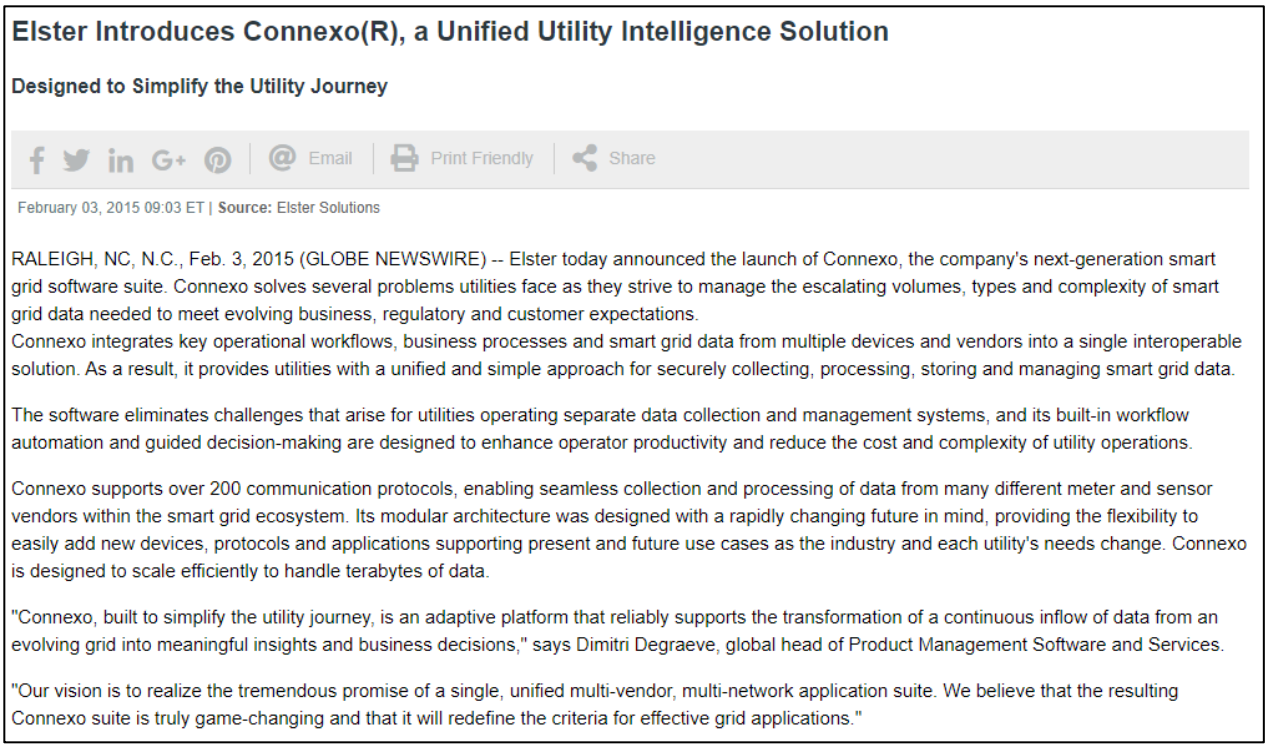
Ensure highly secure communication with advanced encryption software and strengthened server modules.

Maintain the highest throughput rates, availability and scalability.

Manage pools of server modules; easily configure and support security software.

Note: In partnership with Worldline for the Asian, European and South American market.

Source: https://www.connexo.com/applications/



Elster Introduces Connexo(R), a Unified Utility Intelligence Solution

Designed to Simplify the Utility Journey

Email | Print Friendly | Share

February 03, 2015 09:03 ET | **Source:** Elster Solutions

RALEIGH, NC, N.C., Feb. 3, 2015 (GLOBE NEWSWIRE) -- Elster today announced the launch of Connexo, the company's next-generation smart grid software suite. Connexo solves several problems utilities face as they strive to manage the escalating volumes, types and complexity of smart grid data needed to meet evolving business, regulatory and customer expectations.
Connexo integrates key operational workflows, business processes and smart grid data from multiple devices and vendors into a single interoperable solution. As a result, it provides utilities with a unified and simple approach for securely collecting, processing, storing and managing smart grid data.

The software eliminates challenges that arise for utilities operating separate data collection and management systems, and its built-in workflow automation and guided decision-making are designed to enhance operator productivity and reduce the cost and complexity of utility operations.

Connexo supports over 200 communication protocols, enabling seamless collection and processing of data from many different meter and sensor vendors within the smart grid ecosystem. Its modular architecture was designed with a rapidly changing future in mind, providing the flexibility to easily add new devices, protocols and applications supporting present and future use cases as the industry and each utility's needs change. Connexo is designed to scale efficiently to handle terabytes of data.

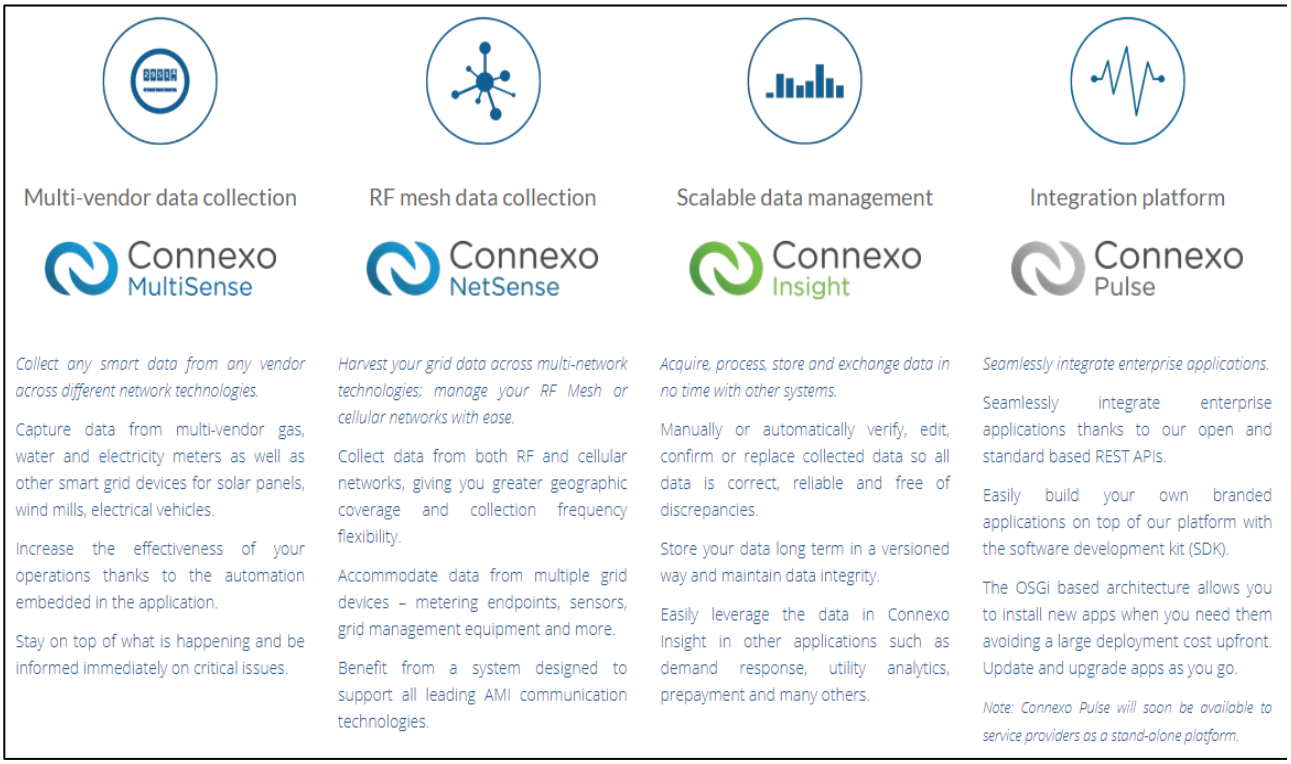
"Connexo, built to simplify the utility journey, is an adaptive platform that reliably supports the transformation of a continuous inflow of data from an evolving grid into meaningful insights and business decisions," says Dimitri Degraeve, global head of Product Management Software and Services.

"Our vision is to realize the tremendous promise of a single, unified multi-vendor, multi-network application suite. We believe that the resulting Connexo suite is truly game-changing and that it will redefine the criteria for effective grid applications."

Source: https://www.globenewswire.com/news-release/2015/02/03/702538/10118353/en/Elster-Introduces-Connexo-R-a-Unified-Utility-Intelligence-Solution.html

83. On information and belief, Defendants perform and induce others to perform the step of monitoring a health of a plurality of applications using a common monitoring protocol, at least two of said plurality of applications being based on different programming technology. By way of example, Connexo comprises Connexo MultiSense and Connexo NetSense ("applications"). Connexo MultiSense captures data from gas, water and electricity meters as well as other smart grid devices such as solar panels, wind mills or electrical vehicles and manages their configuration from a central system. Distributed components for the application include meters and grid devices such as wind mills, solar panels, etc. Connexo NetSense collects data from both RF mesh and cellular networks and "accommodates data from multiple grid devices – metering endpoints, sensors, grid management equipment."

Distributed components for the application include metering endpoints, sensors and grid management equipment. The health and performance of applications and corresponding distributed components (such as Device and Sensor status, Sensor ID) is monitored using Connexo ("common monitoring protocol"). On information and belief, the monitoring is independent of a programming technology of said plurality of client applications and respective distributed components.



Source: https://www.connexo.com/applications/

Source: https://www.connexo.com/applications/connexo-multisense/

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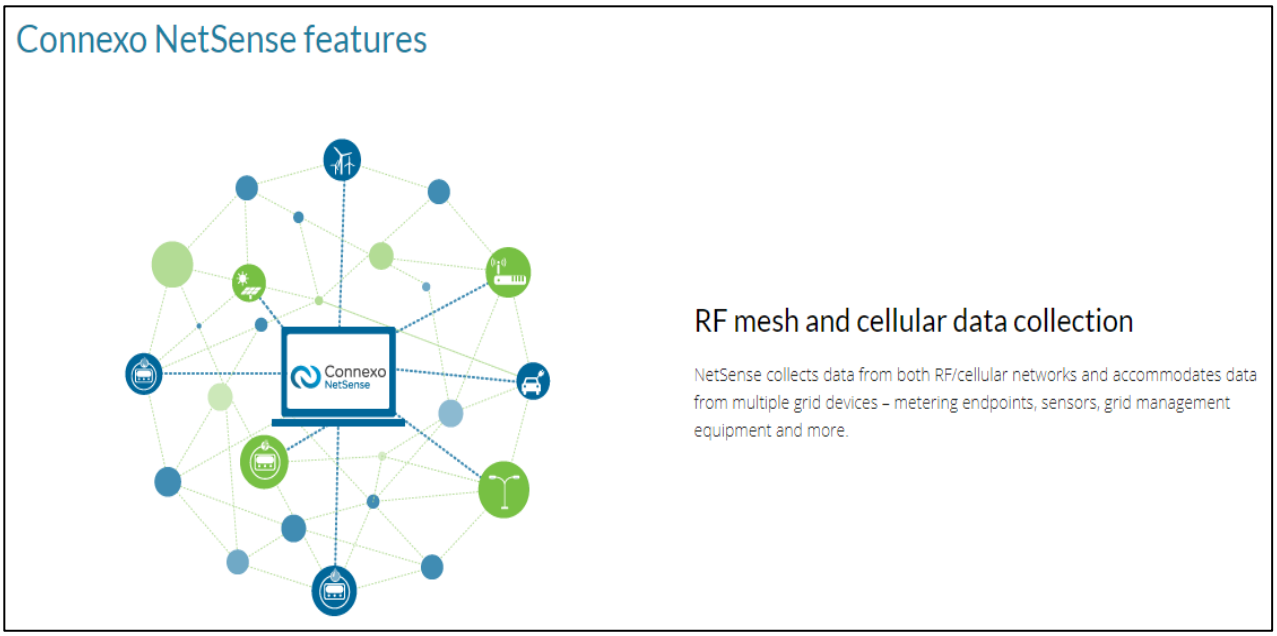
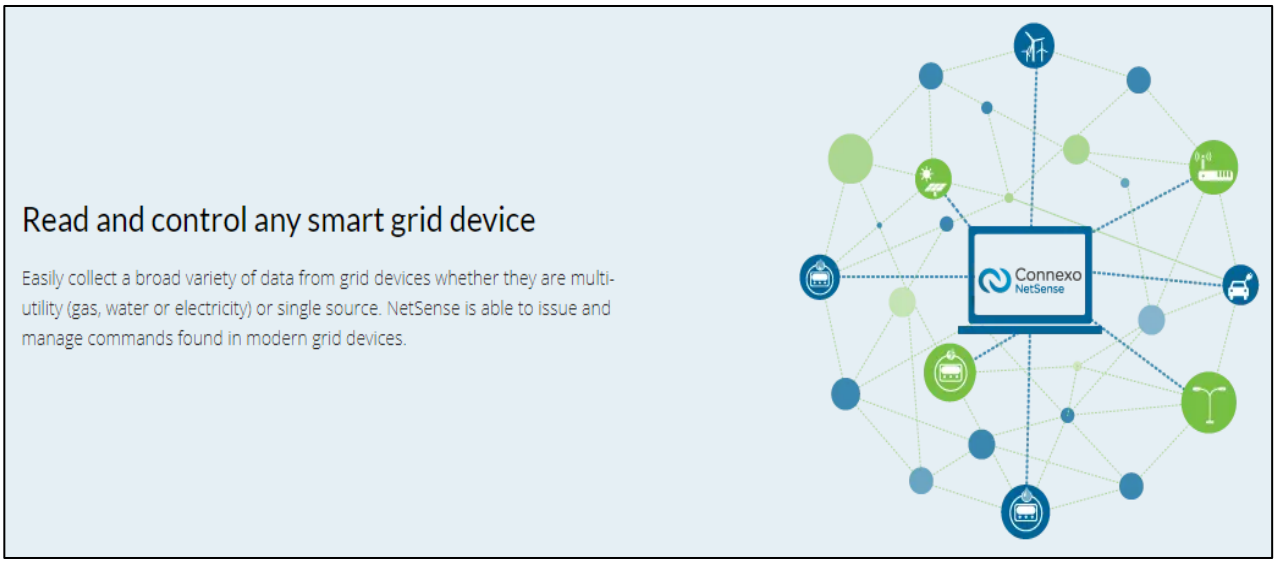


Source: https://www.connexo.com/applications/connexo-netsense/features/



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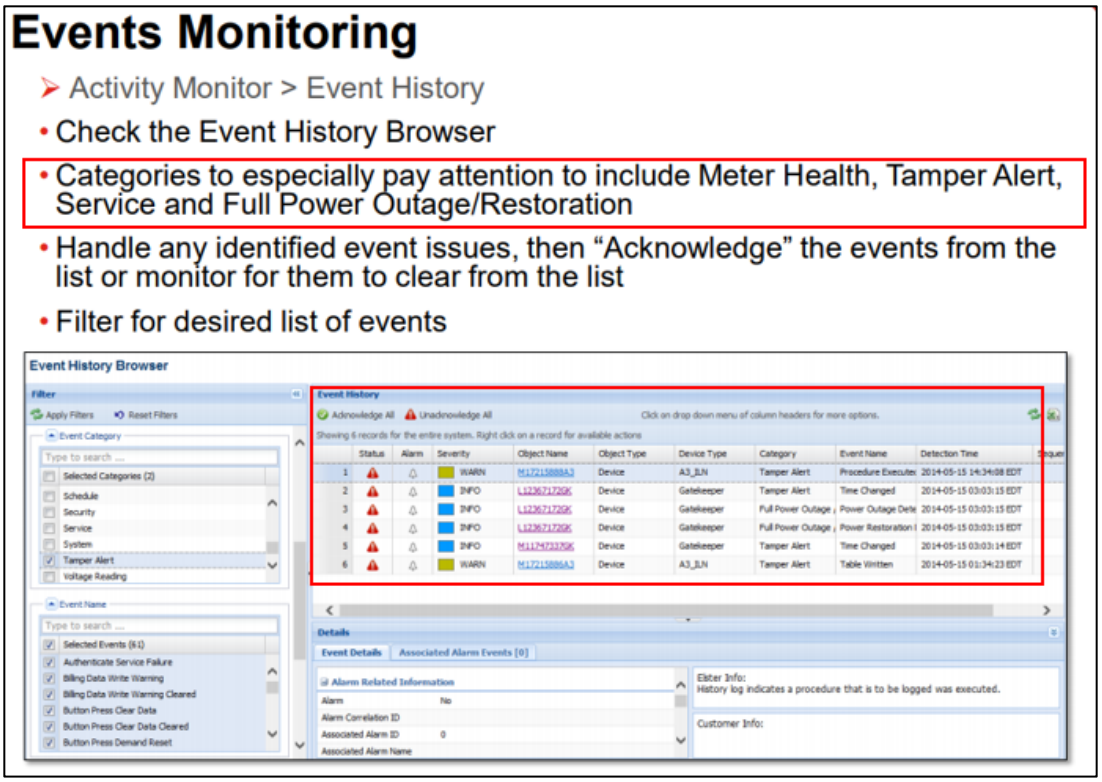
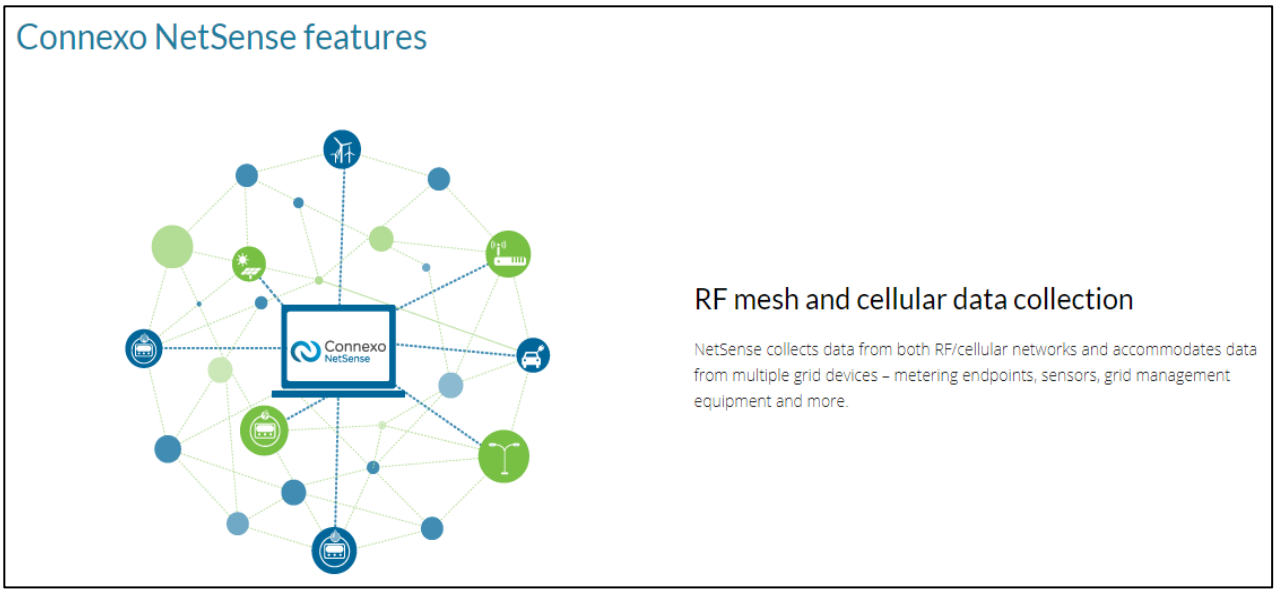


Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38

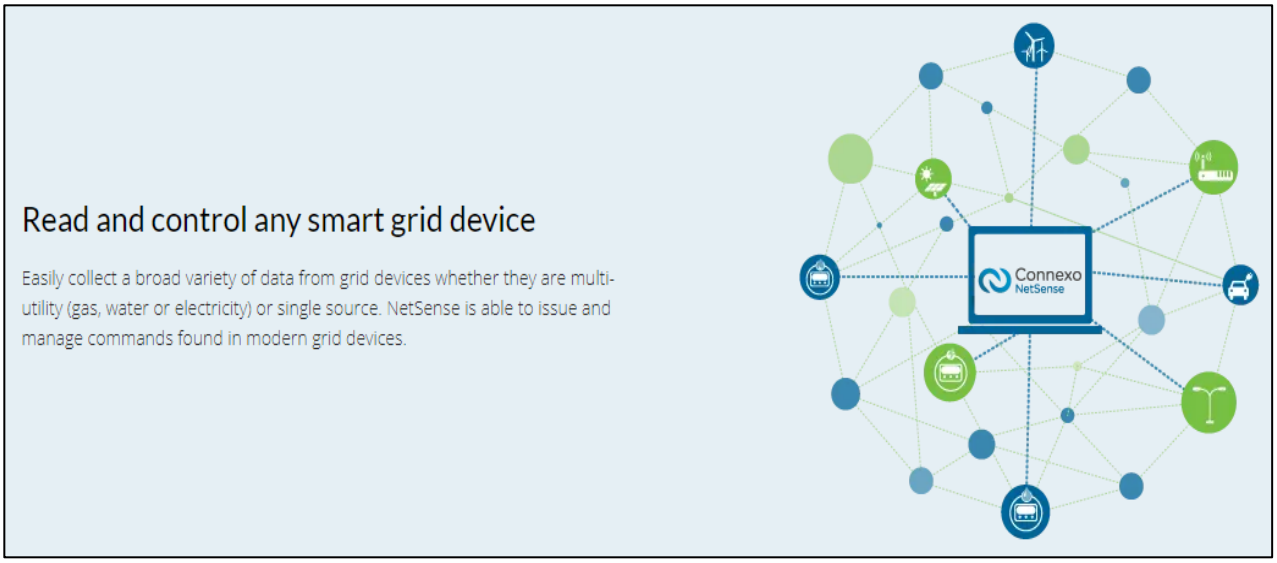
84. On information and belief, Defendants perform and induce others to perform the step of assessing said health of plurality of applications. For example, Connexo assesses health and performance of Connexo MultiSense and Connexo NetSense ("applications") and respective distributed components (sensors, meters, grid management equipment, etc.). The health value of applications comprises of values such as Application ID and Activation status of particular application. Further, health of corresponding distributed components comprises of Device status and Device ID.

Source: https://www.connexo.com/applications/connexo-multisense/

Source: https://www.connexo.com/applications/connexo-multisense/



Source: https://www.connexo.com/applications/connexo-netsense/features/



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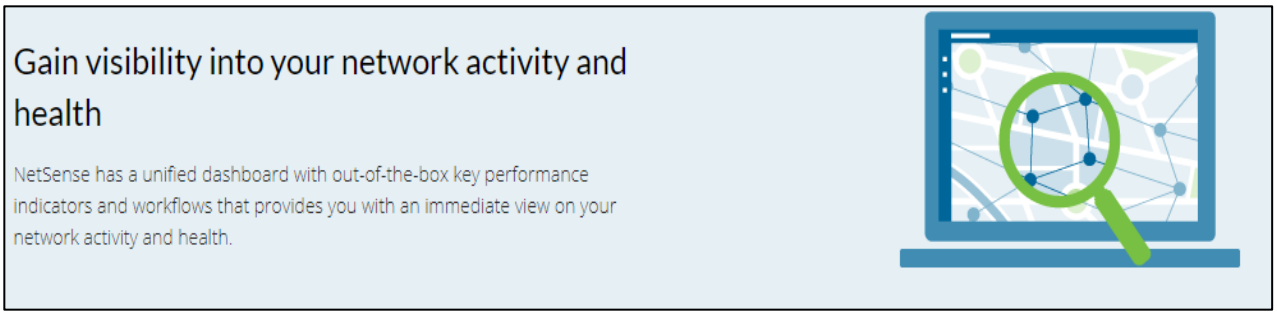

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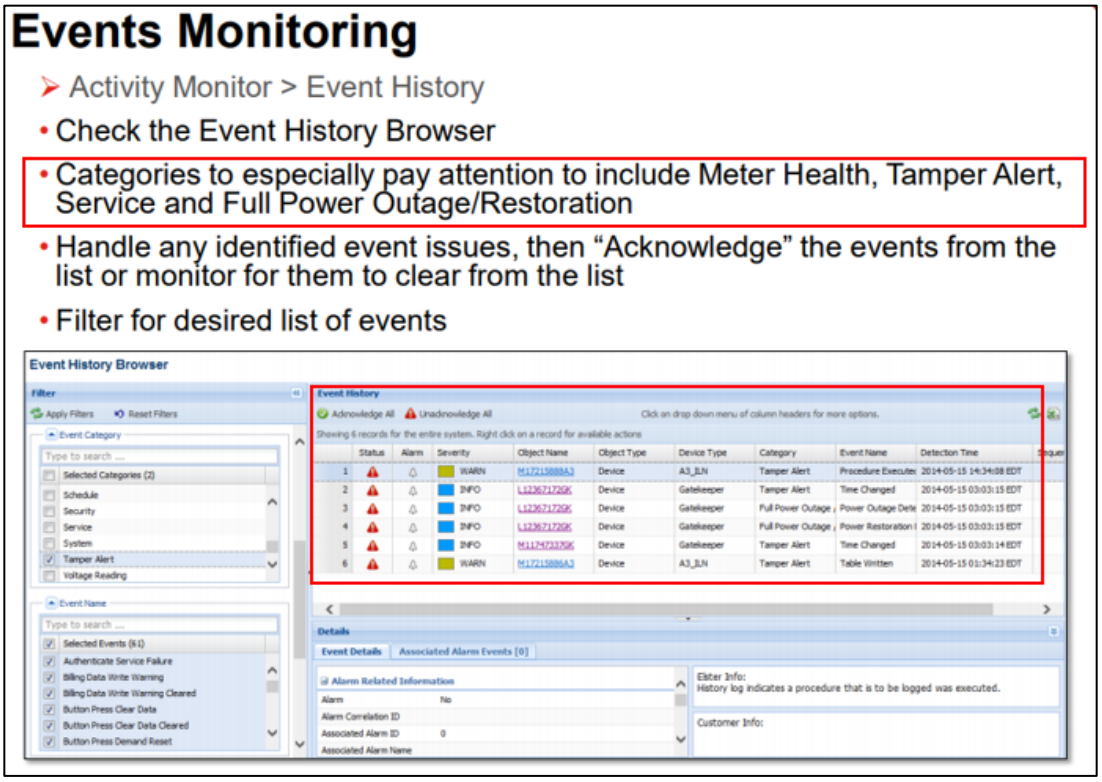
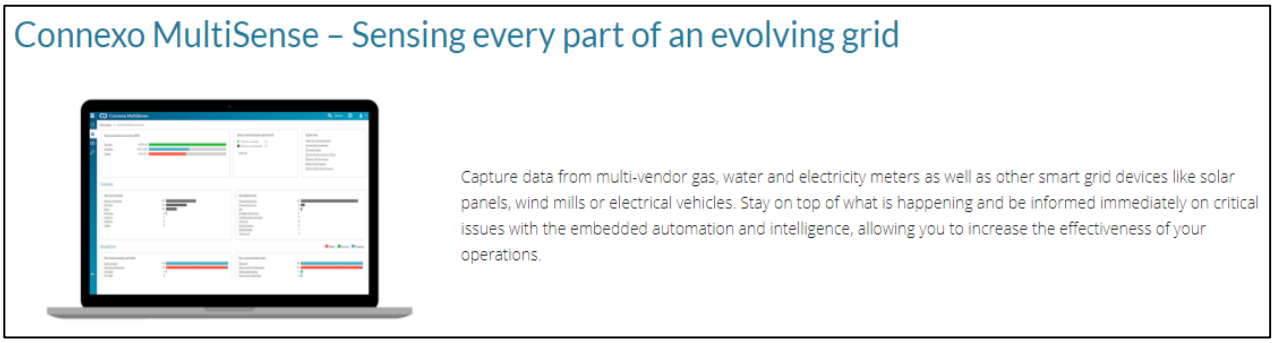


Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38

85. On information and belief, Defendants perform and induce others to perform the step of analyzing said health of said plurality of applications. For example, Connexo comprises MultiSense and NetSense which analyses all the collected data from sensors, meters and

smart grid devices in order to display events and alarms in a single dashboard ("application node"). That is, the health of plurality of applications is associated and displayed on a single dashboard.



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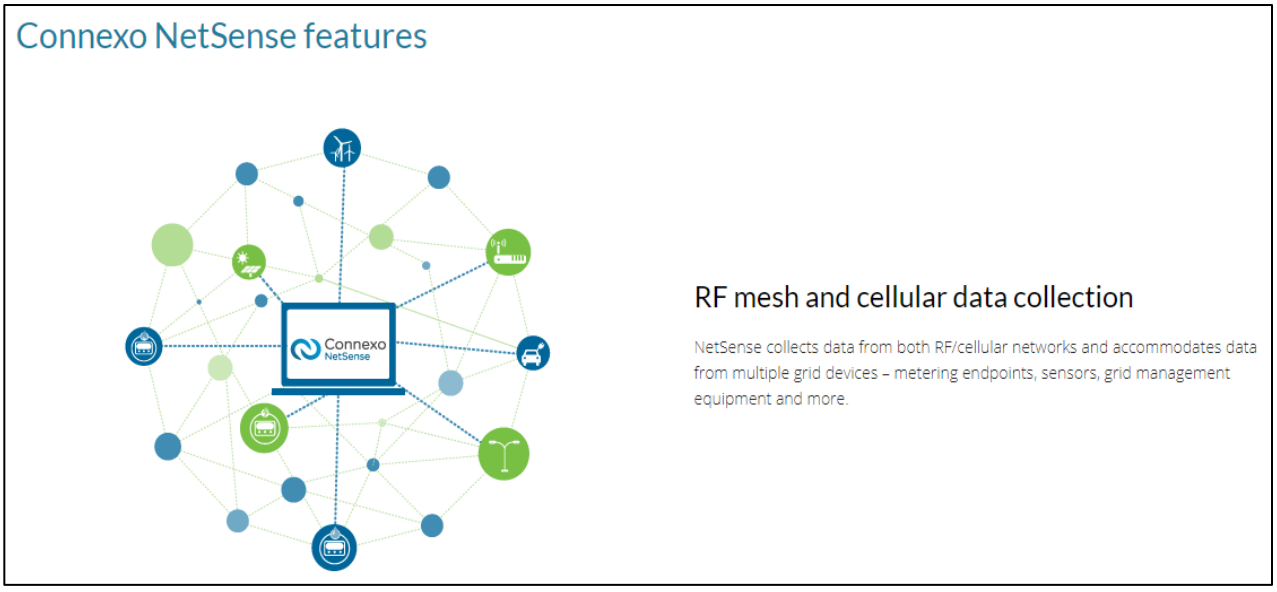
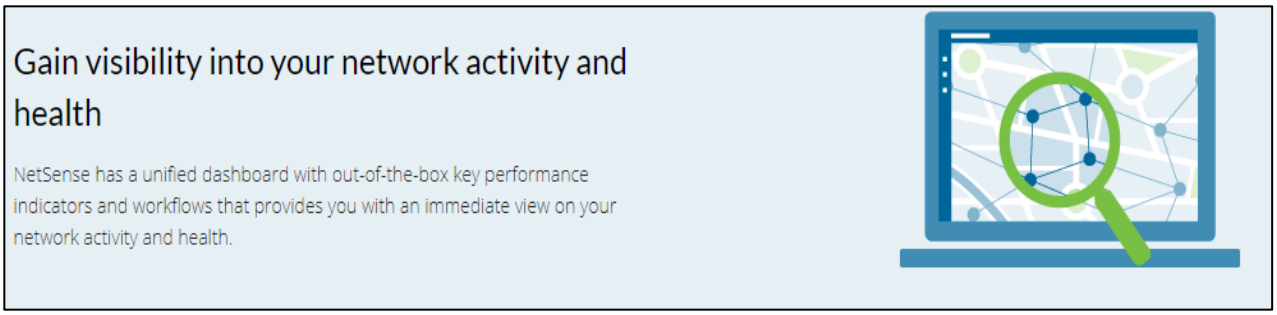


Source: https://www.connexo.com/applications/connexo-netsense/features/



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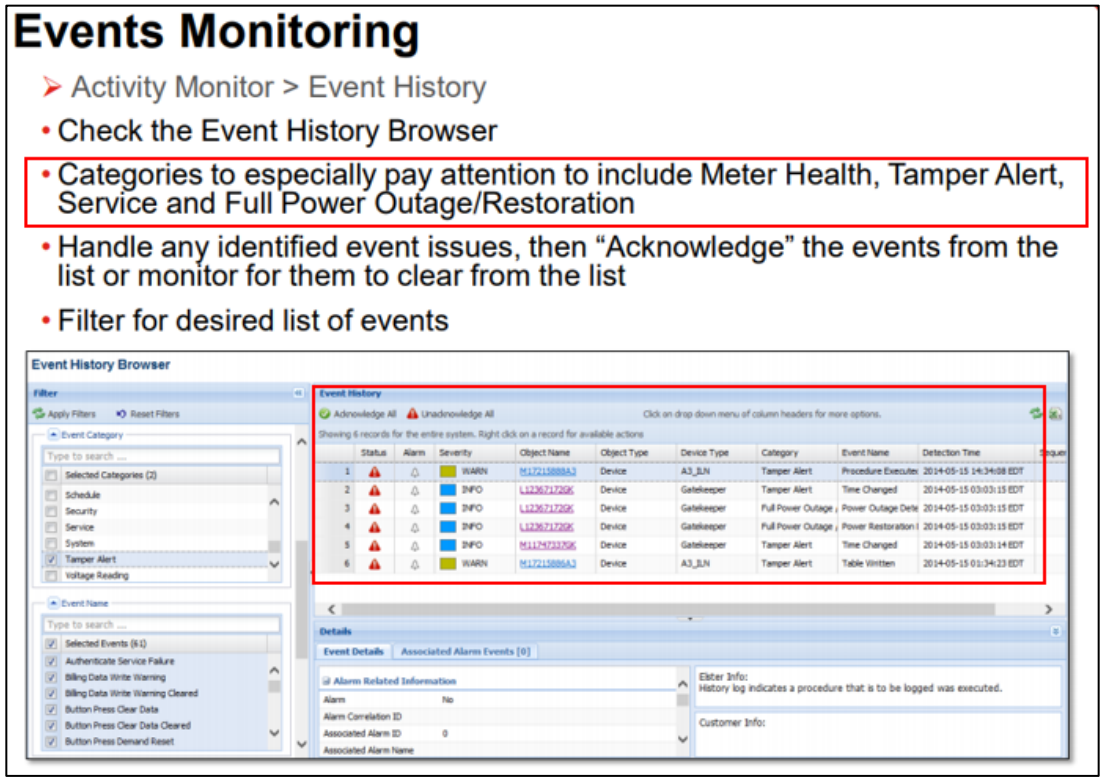
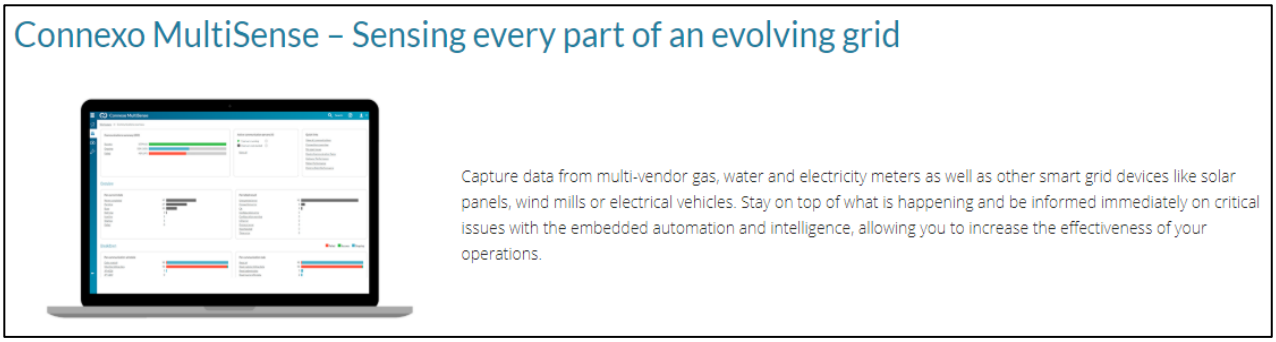


Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38

86. On information and belief, Defendants provide a common performance management interface to dynamically change a performance related configuration variable of said plurality of applications at runtime regardless of a programming technology of each of said plurality of

applications. For example, Defendants provide Connexo which comprises a dashboard ("common performance management interface") containing information about applications configured by the utilities. The dashboard includes graphical interfacing, mapping, alerts, information and actionable recommendations ("performance related configuration variable") of applications at runtime regardless of programming technology of each application.



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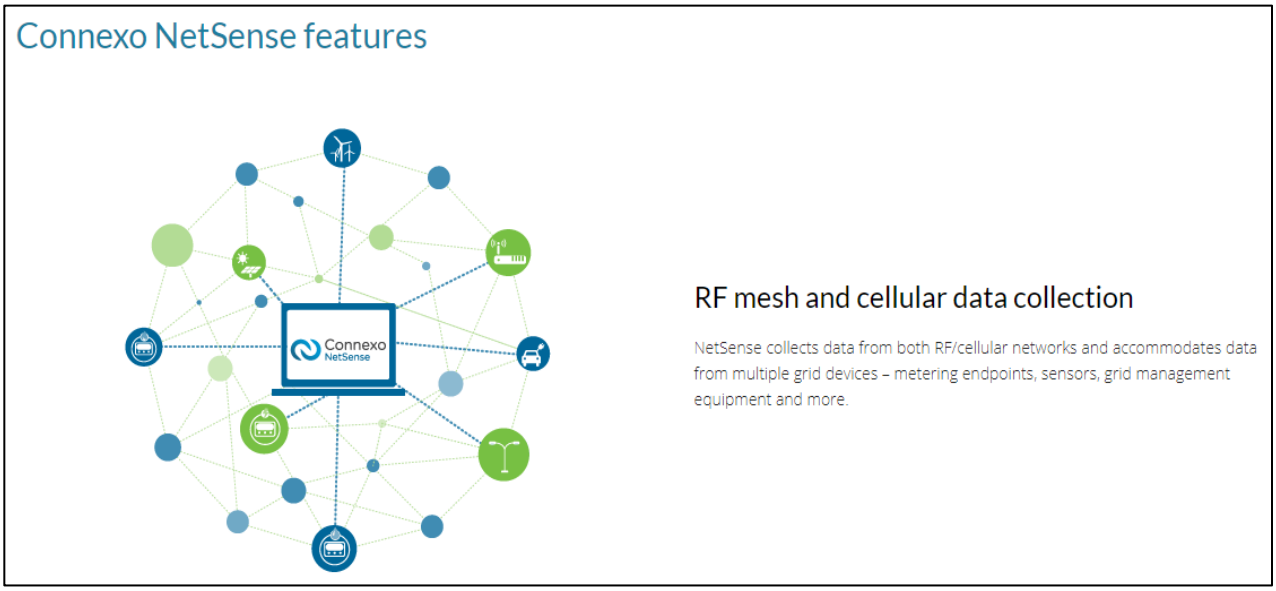

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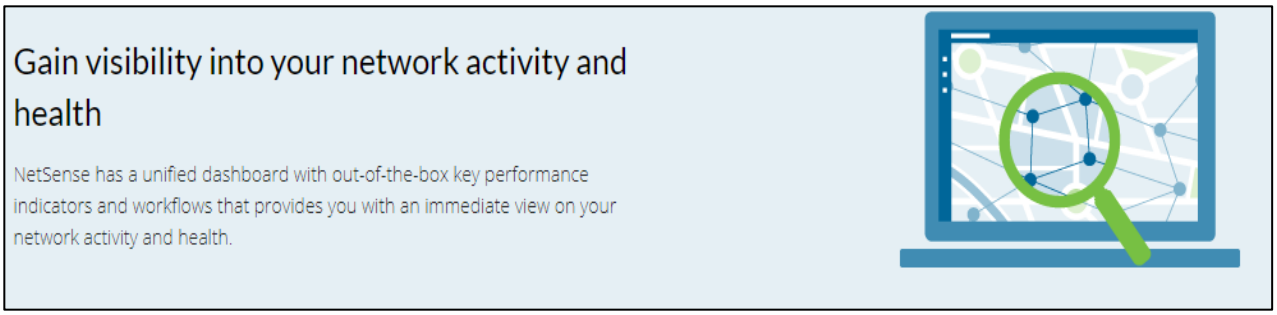

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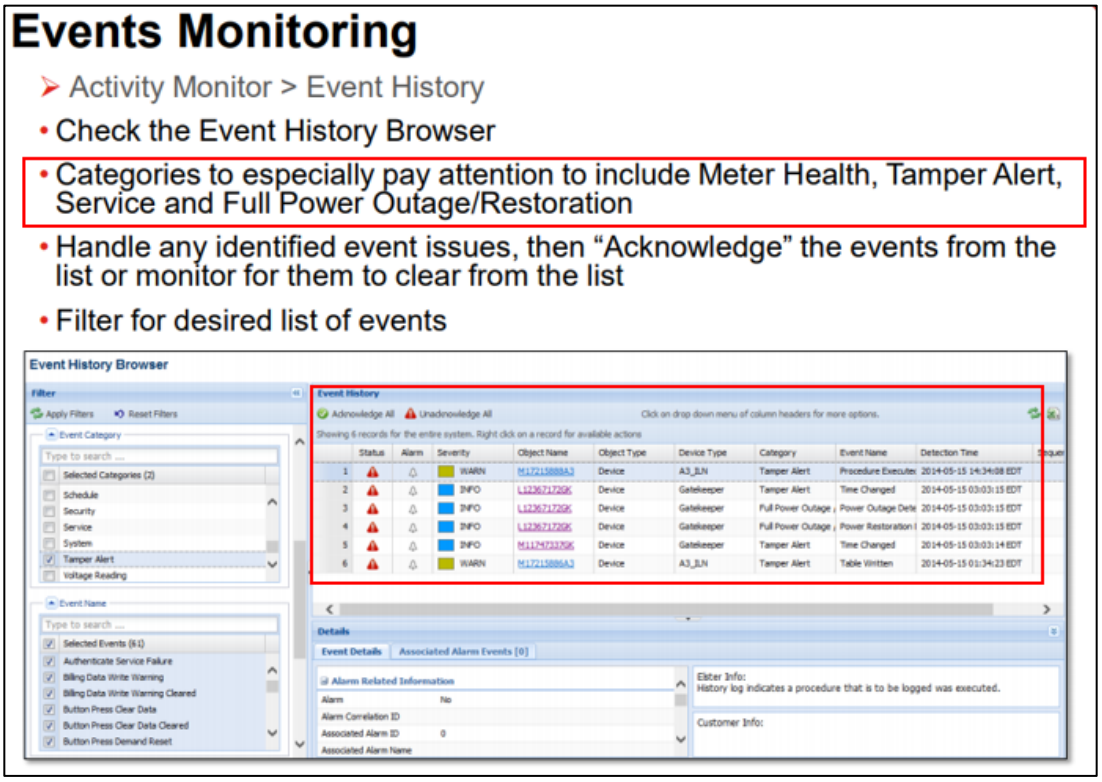


Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38

87. BCS has been damaged by Defendants' infringement of the '612 Patent.

COUNT III
(Infringement of U.S. Patent No. 7,533,301)

88. BCS incorporates the above paragraphs by reference.

89. Defendants have been on notice of the ’301 Patent at least as early as the date it received service of this Original Complaint.

90. On information and belief, Defendants have infringed and continue to infringe Claims 1-24 of the ’301 Patent by making, using, importing, selling, and/or, offering for sale the Accused Instrumentalities.

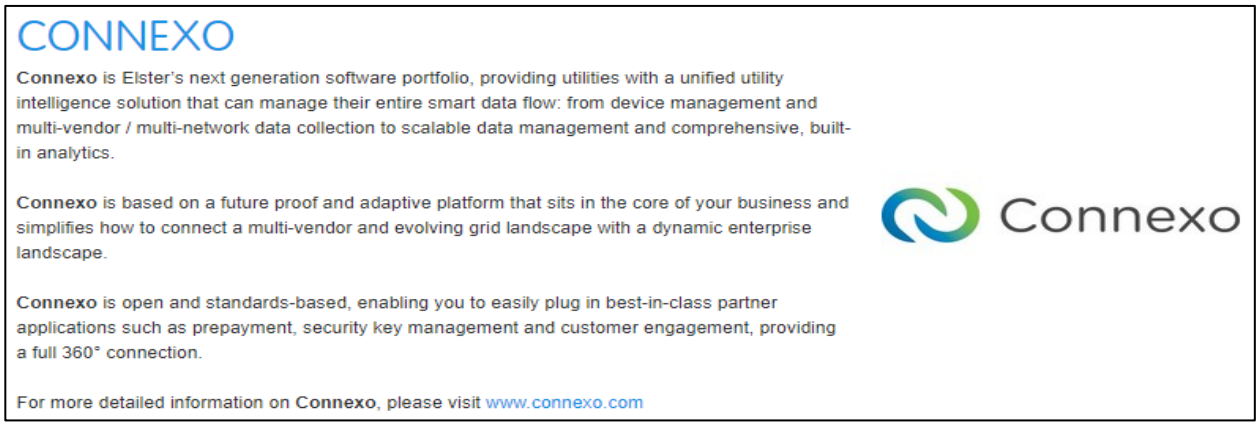
91. On information and belief, Defendants, with knowledge of the ’301 Patent, infringe the ’301 Patent by inducing others to infringe the ’301 Patent. In particular, Defendants intend to induce customers to infringe the ’301 Patent by encouraging customers to use the Accused Instrumentalities in a manner that results in infringement.

92. On information and belief, Defendants also induce others, including customers, to infringe the ’301 Patent by providing technical support for the use of the Accused Instrumentalities.

93. On information and belief, at all times Defendants own and control the operation of the Accused Instrumentalities in accordance with an end user license agreement.

94. On information and belief, the Accused Instrumentalities infringe Claim 1 of the ’301 Patent by providing a method of providing a high-level operational support system (OSS) framework by automatically discovering, with a server comprising the OSS framework, a plurality of applications that comply with a predefined framework. Defendants, with knowledge of the ’301 Patent, infringe the ’301 Patent by inducing others to infringe the ’301 Patent. In particular, Defendants intend to induce their customers to infringe the ’301 Patent by encouraging customers to use the Accused Instrumentalities in a manner that results in infringement. Defendants provide Connexo which is an open software platform for utilities

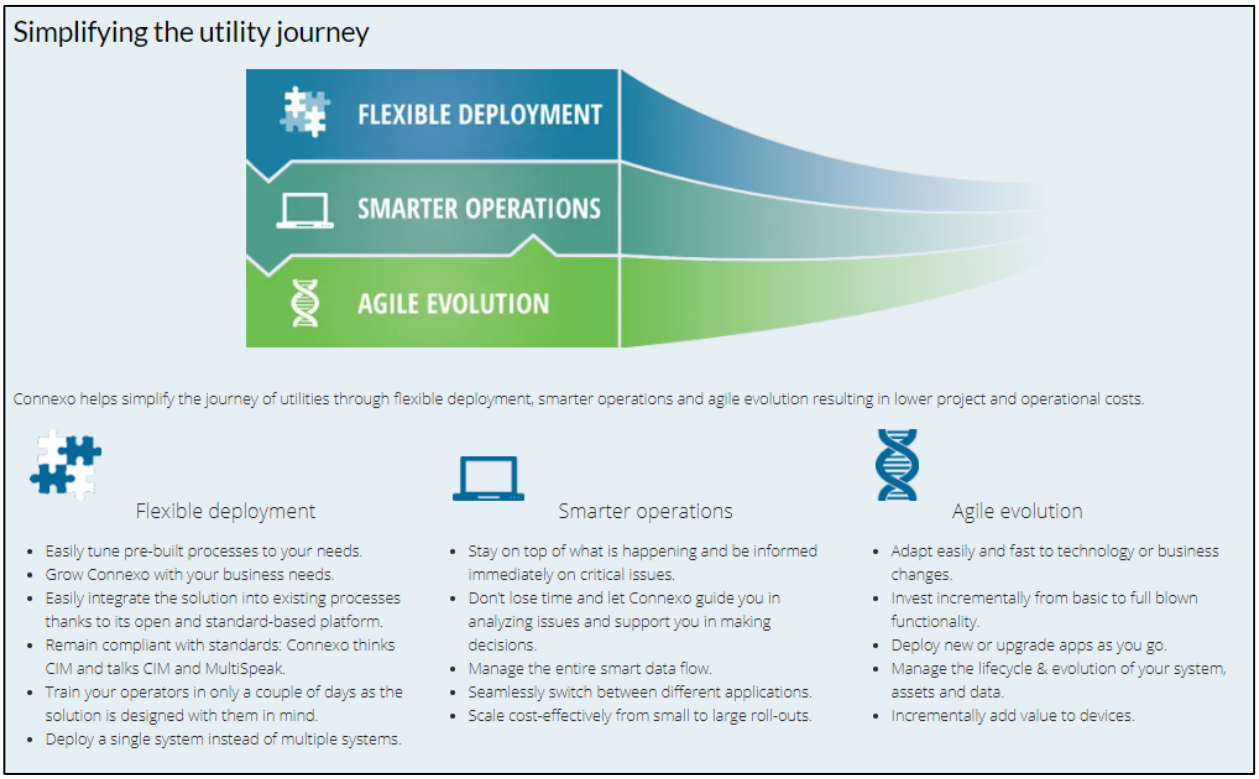
that "securely collect, process, store and leverage smart grid data."



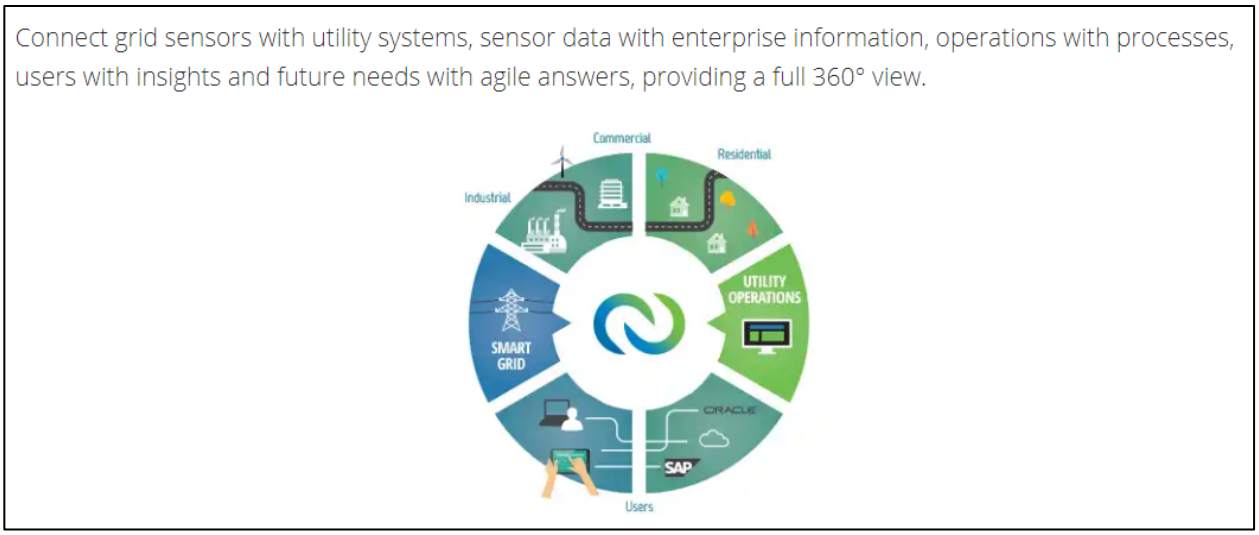
Source: https://www.elstersolutions.com/en/product-details-all-regions/1215/en/Connexo?fid=F032EA0A896F40B486350FF21BE30E5E#sbox0=;

95. On information and belief, Defendants' Connexo provides a software platform which integrates multiple applications such as Connexo MultiSense, Connexo NetSense, Connexo Insight and Connexo Pulse.

Source: https://www.connexo.com/applications/

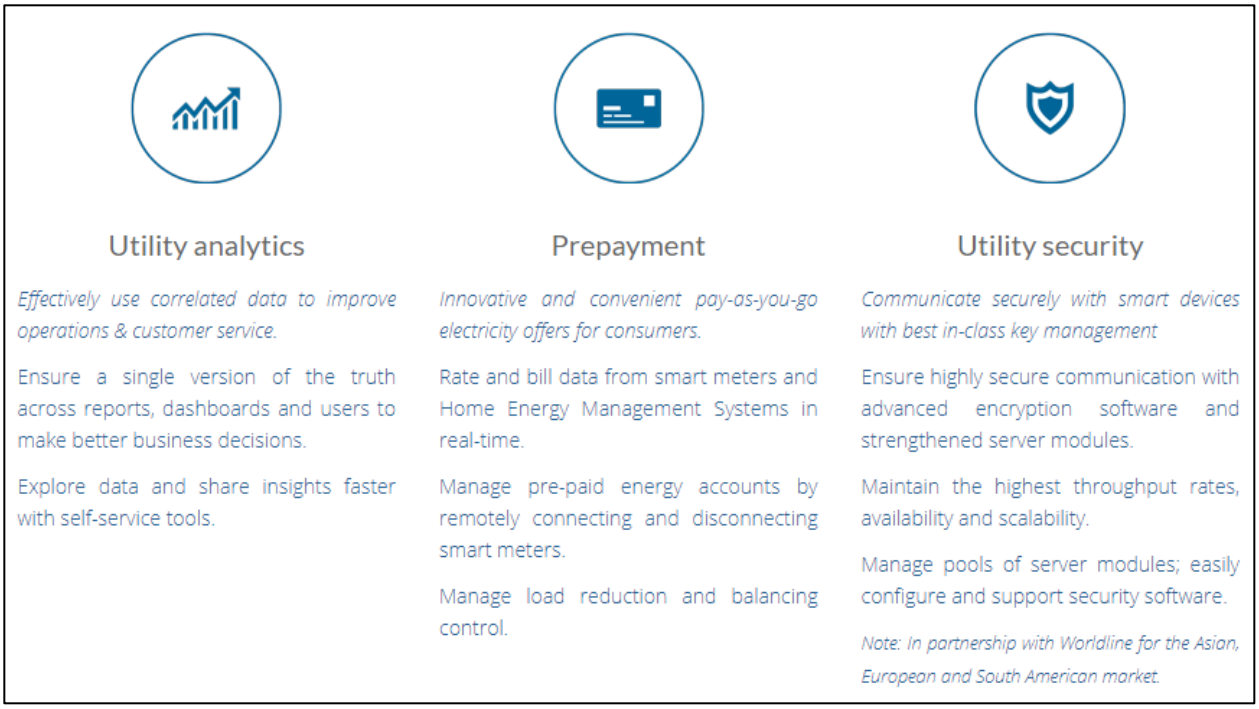


Source: https://www.connexo.com/connexo/

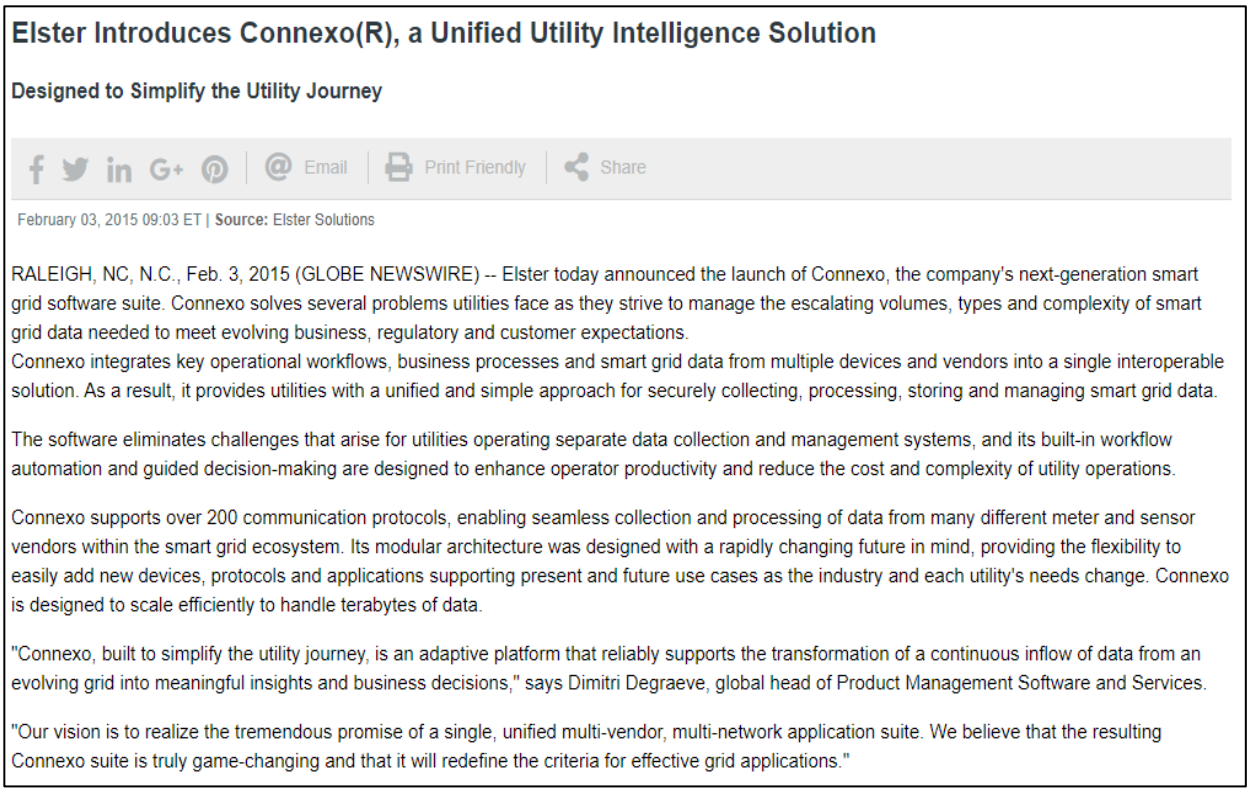


Source: https://www.connexo.com/connexo/

Source: https://www.connexo.com/applications/



Source: https://www.connexo.com/applications/



Elster Introduces Connexo(R), a Unified Utility Intelligence Solution

Designed to Simplify the Utility Journey

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February 03, 2015 09:03 ET | **Source:** Elster Solutions

RALEIGH, NC, N.C., Feb. 3, 2015 (GLOBE NEWSWIRE) -- Elster today announced the launch of Connexo, the company's next-generation smart grid software suite. Connexo solves several problems utilities face as they strive to manage the escalating volumes, types and complexity of smart grid data needed to meet evolving business, regulatory and customer expectations.
Connexo integrates key operational workflows, business processes and smart grid data from multiple devices and vendors into a single interoperable solution. As a result, it provides utilities with a unified and simple approach for securely collecting, processing, storing and managing smart grid data.

The software eliminates challenges that arise for utilities operating separate data collection and management systems, and its built-in workflow automation and guided decision-making are designed to enhance operator productivity and reduce the cost and complexity of utility operations.

Connexo supports over 200 communication protocols, enabling seamless collection and processing of data from many different meter and sensor vendors within the smart grid ecosystem. Its modular architecture was designed with a rapidly changing future in mind, providing the flexibility to easily add new devices, protocols and applications supporting present and future use cases as the industry and each utility's needs change. Connexo is designed to scale efficiently to handle terabytes of data.

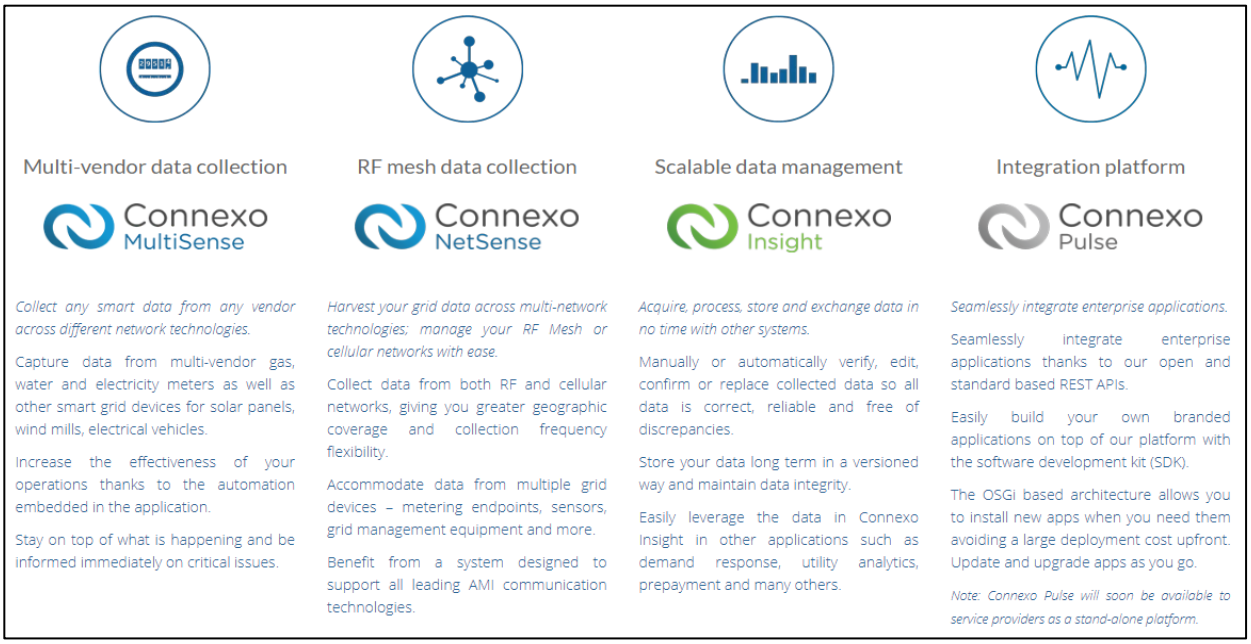
"Connexo, built to simplify the utility journey, is an adaptive platform that reliably supports the transformation of a continuous inflow of data from an evolving grid into meaningful insights and business decisions," says Dimitri Degraeve, global head of Product Management Software and Services.

"Our vision is to realize the tremendous promise of a single, unified multi-vendor, multi-network application suite. We believe that the resulting Connexo suite is truly game-changing and that it will redefine the criteria for effective grid applications."

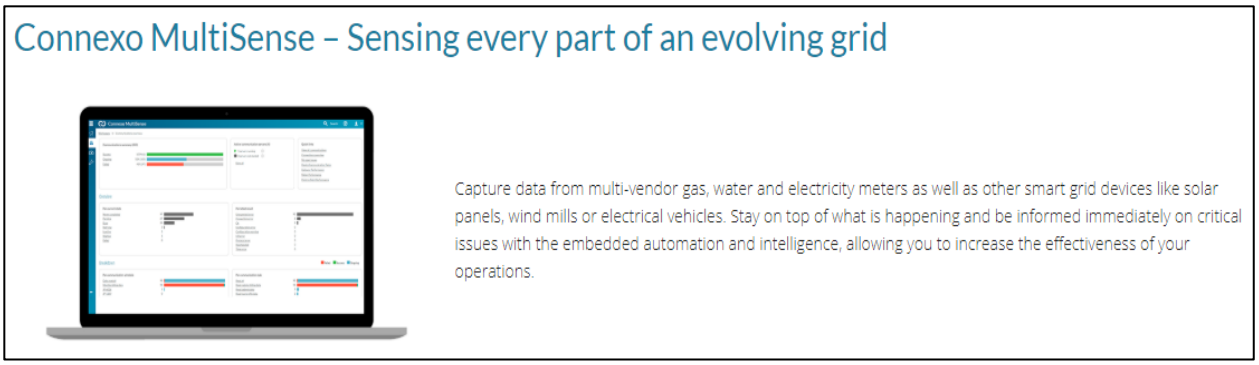
Source: https://www.globenewswire.com/news-release/2015/02/03/702538/10118353/en/Elster-Introduces-Connexo-R-a-Unified-Utility-Intelligence-Solution.html

96. On information and belief, Defendants perform and induce others to perform the step of monitoring from a physical server a health of a plurality of client applications and a health of said plurality of client applications distributed components, using a common monitoring protocol, said monitoring being independent of a programming technology of said plurality of client applications and respective distributed components. This element is infringed literally, or in the alternative, under the doctrine of equivalents. For example, Connexo comprises Connexo MultiSense and Connexo NetSense ("applications"). Connexo MultiSense captures data from gas, water and electricity meters as well as other smart grid devices such as solar panels, wind mills or electrical vehicles and manages their configuration from a central system. Distributed components for the application include

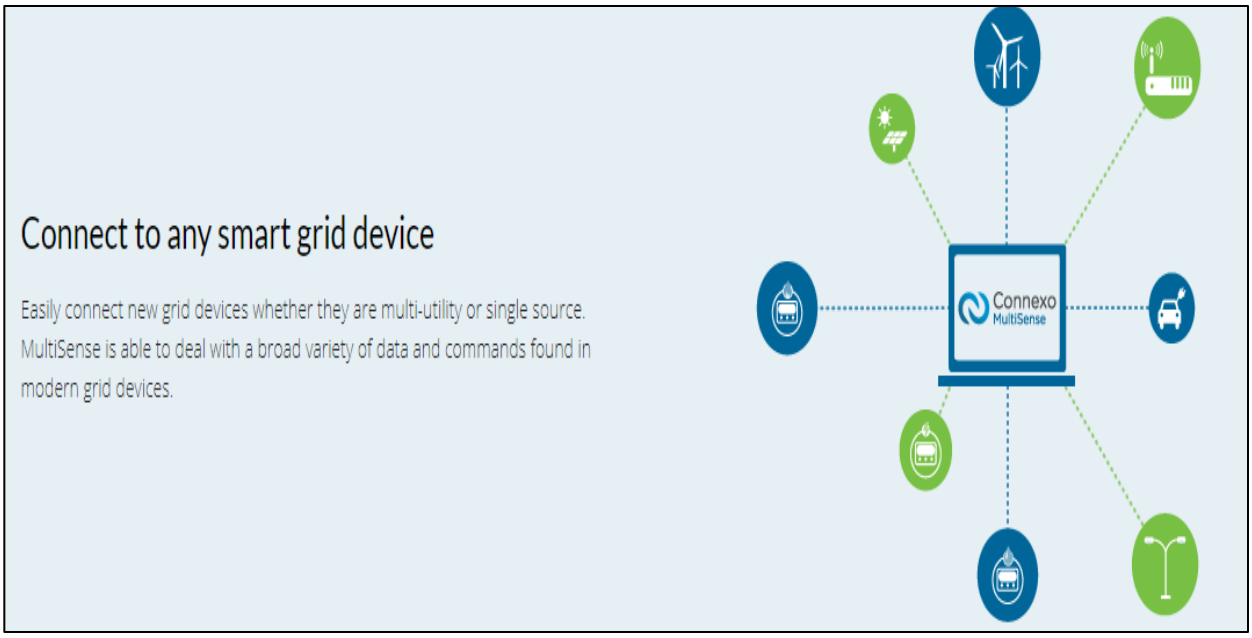
meters and grid devices such as wind mills, solar panels, etc. Connexo NetSense collects data from both RF mesh and cellular networks and "accommodates data from multiple grid devices – metering endpoints, sensors, grid management equipment". Distributed components for the application include metering endpoints, sensors and grid management equipment. The health and performance of applications and corresponding distributed components (such as Device and Sensor status, Sensor ID) is monitored using Connexo ("common monitoring protocol"). On information and belief, the monitoring is independent of a programming technology of said plurality of client applications and respective distributed components.



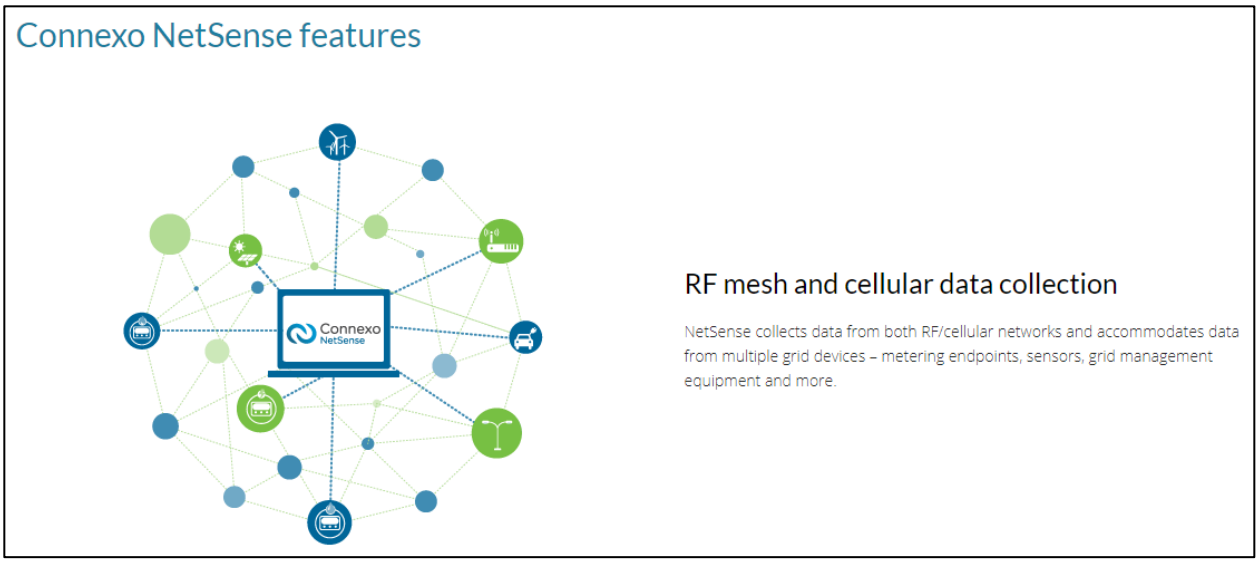
Source: https://www.connexo.com/applications/



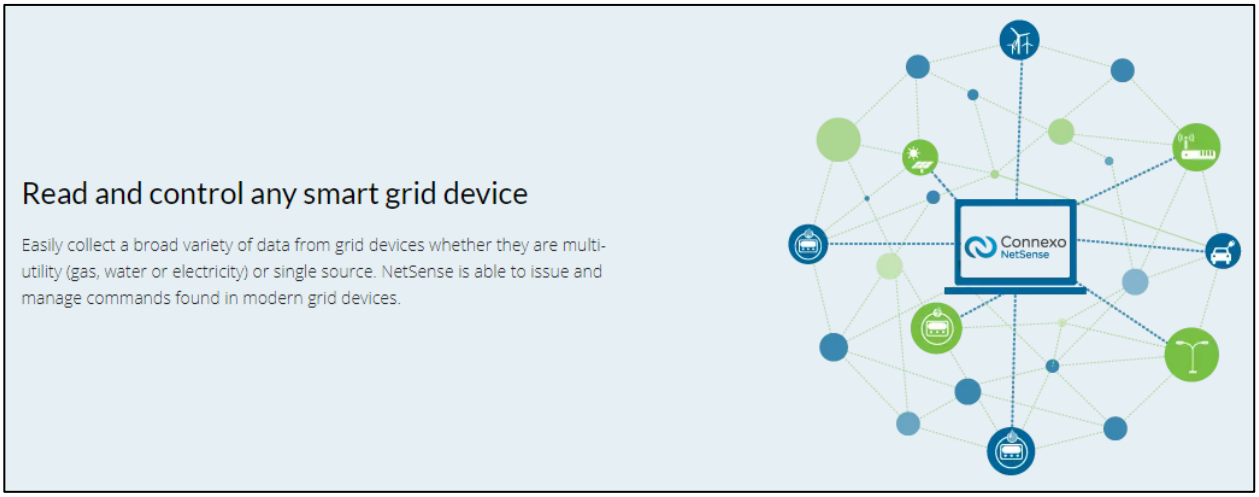
Source: https://www.connexo.com/applications/connexo-multisense/



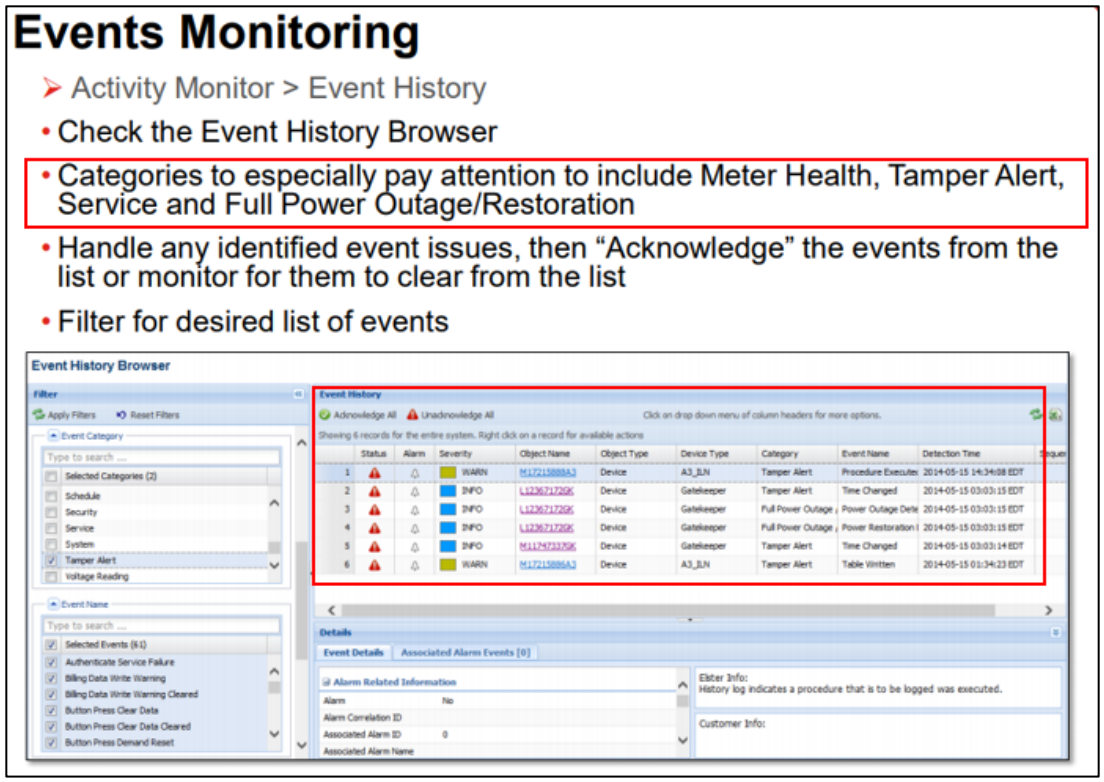
Source: https://www.connexo.com/applications/connexo-multisense/



Source: https://www.connexo.com/applications/connexo-netsense/features/

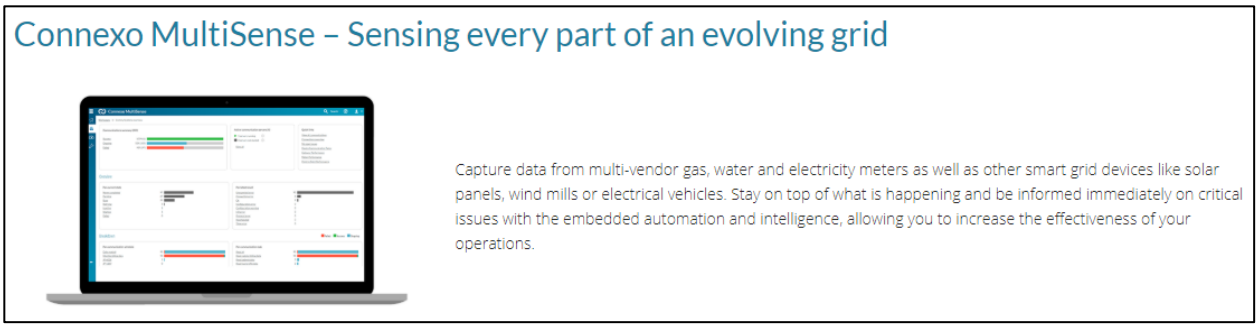


Source: https://www.connexo.com/applications/connexo-netsense/



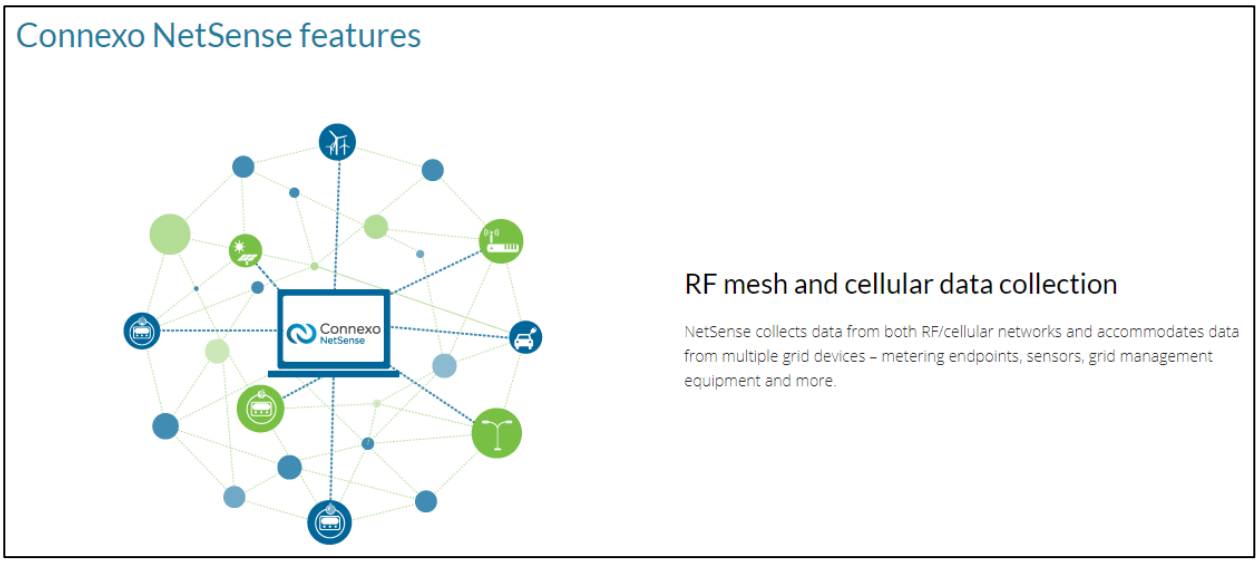
Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38.

97. On information and belief, the Accused Instrumentalities further perform the step of assessing said health of said plurality of client applications and said respective distributed components. For example, Connexo assesses health and performance of Connexo MultiSense and Connexo NetSense ("applications") and respective distributed components (sensors, meters, grid management equipment, etc.). The health value of applications comprises of values such as Application ID and Activation status of particular application. Further, health of corresponding distributed components comprises of Device status and Device ID.

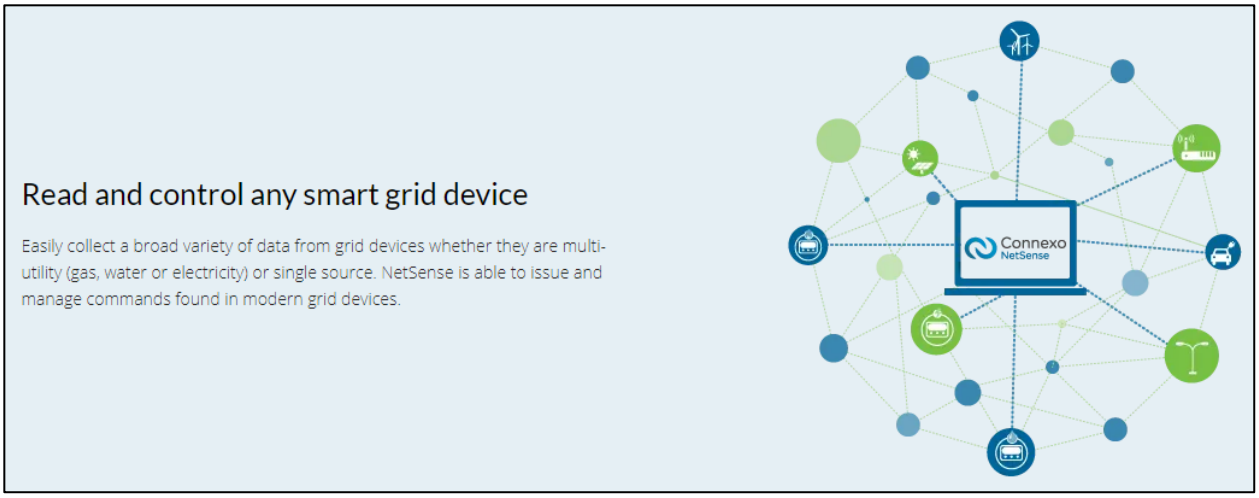


Source: https://www.connexo.com/applications/connexo-multisense/

Source: https://www.connexo.com/applications/connexo-multisense/



Source: https://www.connexo.com/applications/connexo-netsense/features/



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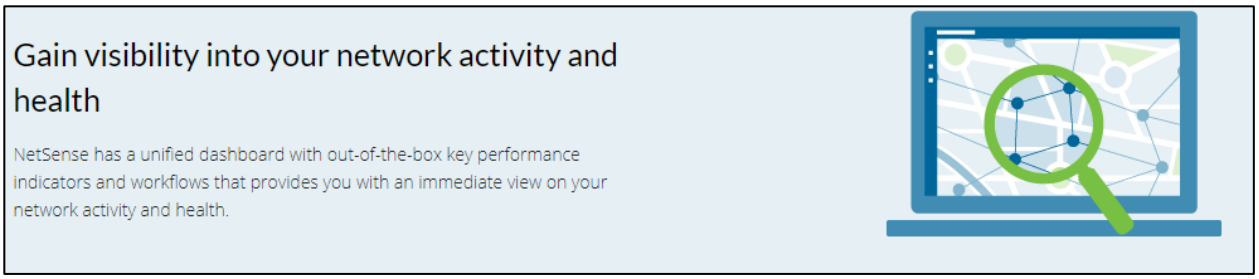

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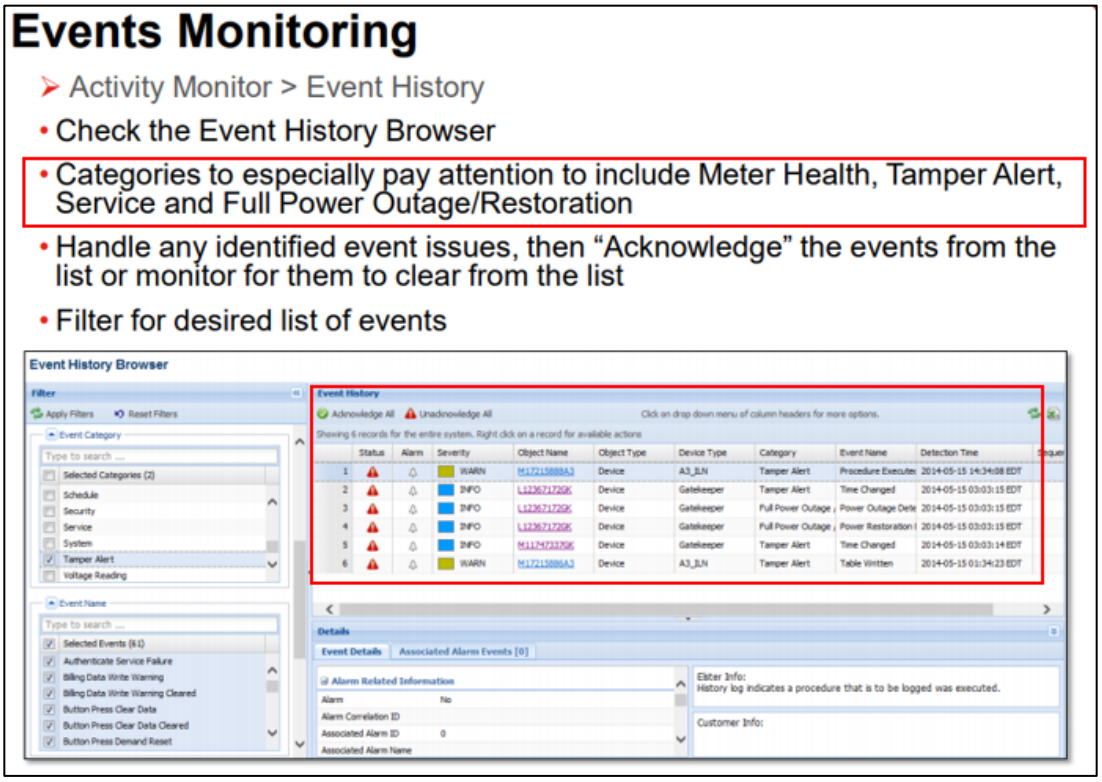
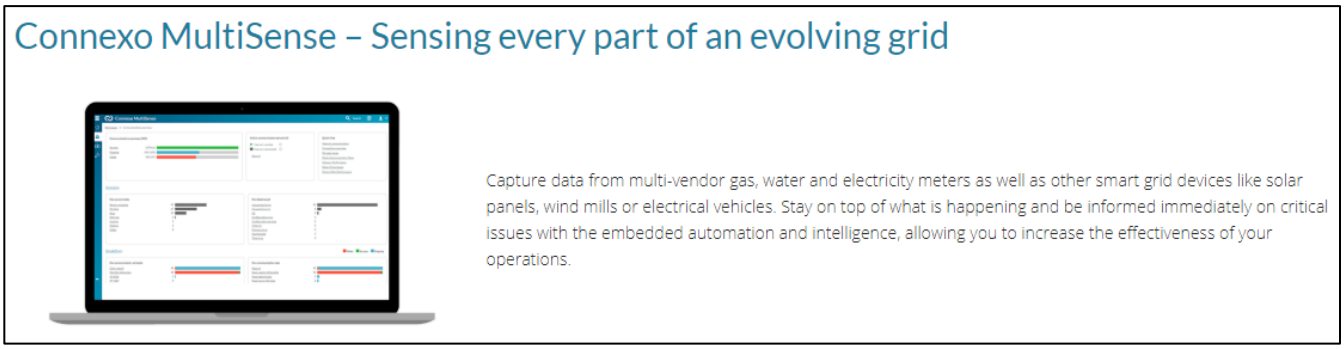


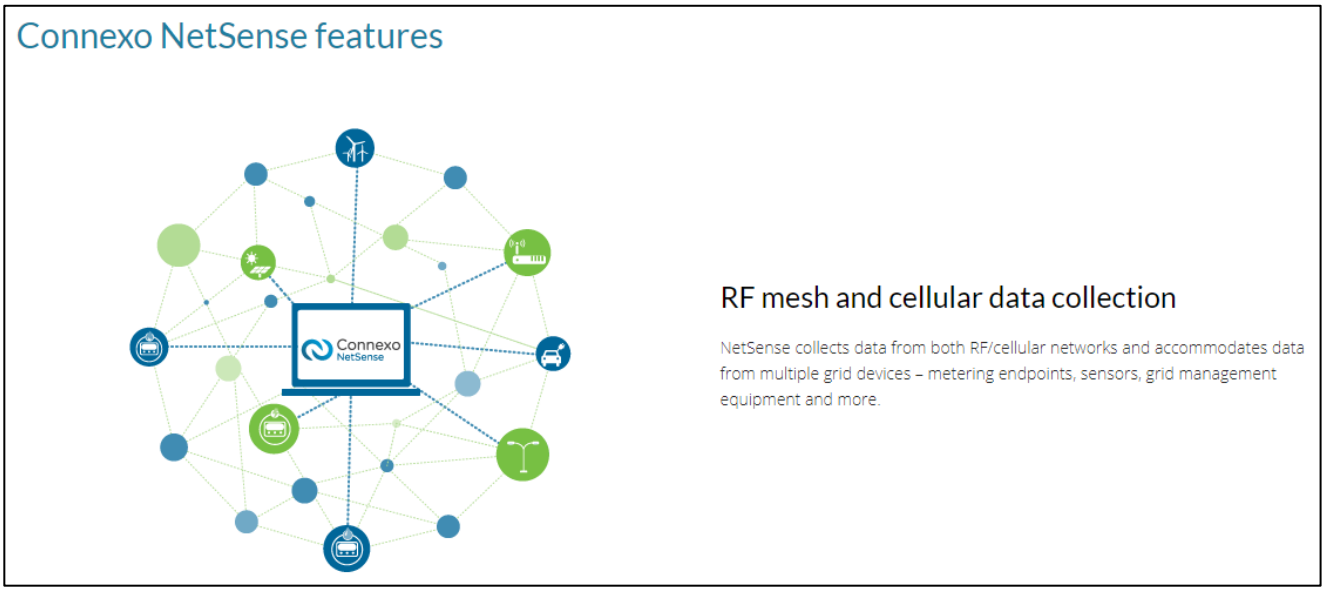
Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38

98. On information and belief, the Accused Instrumentalities perform the step of associating said health of said plurality of client applications and said respective distributed components as belonging to a single application node. This element is infringed literally, or in the alternative, under the doctrine of equivalents. For example, Connexo comprises MultiSense

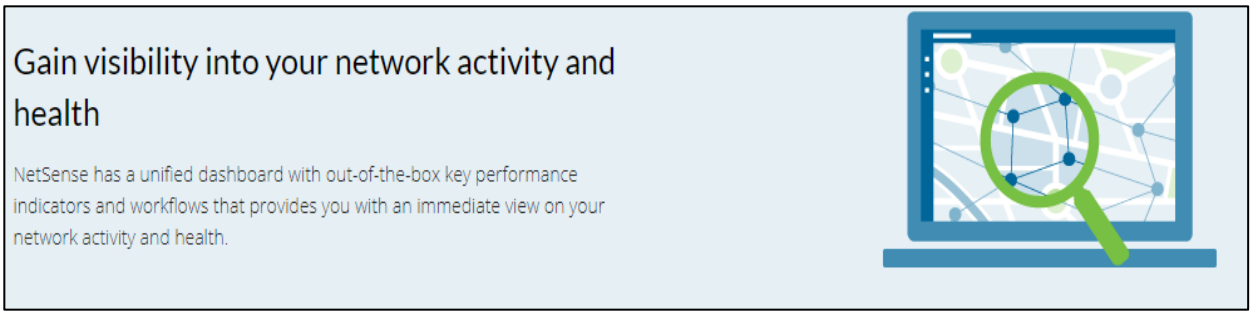
and NetSense which analyses all the collected data from sensors, meters and smart grid devices in order to display events and alarms in a single dashboard ("application node"). That is, the health of plurality of applications is associated and displayed on a single dashboard.



Source: https://www.connexo.com/applications/connexo-multisense/



Source: https://www.connexo.com/applications/connexo-netsense/features/



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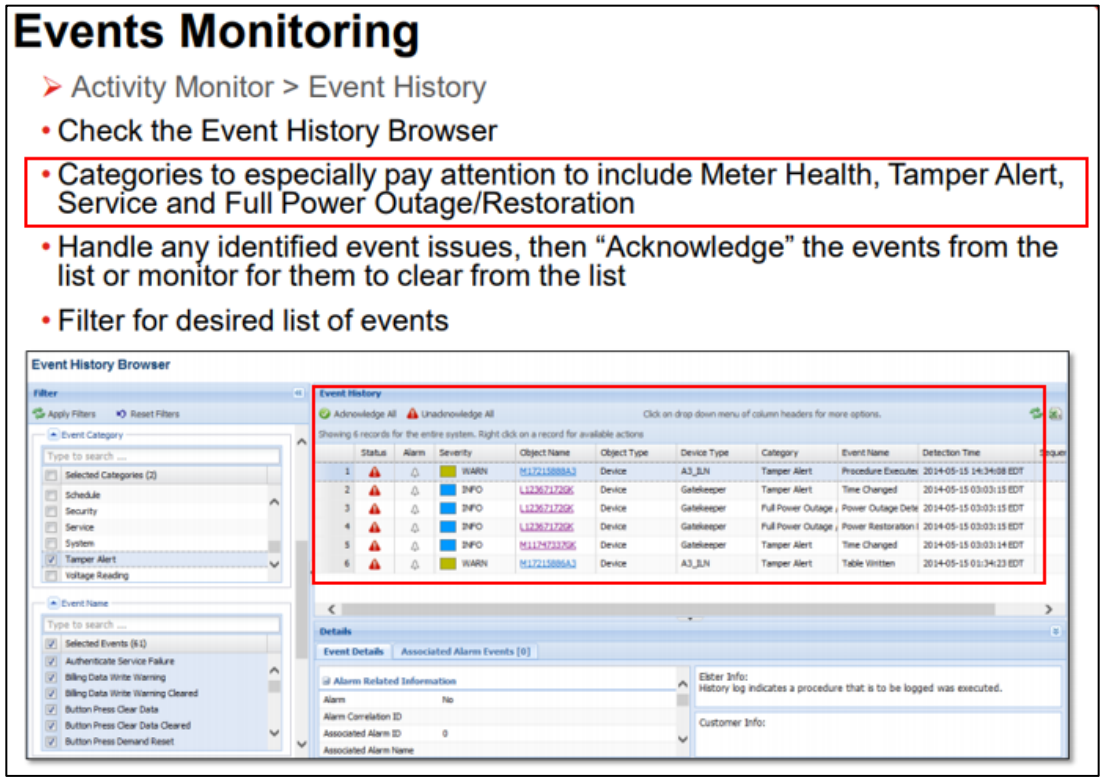

Source: https://www.honeywellprocess.com/library/news-and-events/presentations/2019-hug-america-cns-05-best-practice-for-ea-lan2-final.pdf, p. 38

99. BCS has been damaged by Defendants' infringement of the '301 Patent.

PRAYER FOR RELIEF

WHEREFORE, BCS respectfully requests the Court enter judgment against Defendants:

1. declaring that the Defendants have infringed each of the Patents-in-Suit;

2. awarding BCS its damages suffered as a result of Defendants' infringement of the Patents-in-Suit;

3. awarding BCS its costs, attorneys' fees, expenses, and interest;

4. awarding BCS ongoing post-trial royalties; and

5. granting BCS such further relief as the Court finds appropriate.

JURY DEMAND

BCS demands trial by jury, under Fed. R. Civ. P. 38.

Dated: January 2, 2020

Respectfully Submitted

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